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AN EXPLORATORY STUDY OF THE INTERVENTIONS WITH  
COUPLES IN DISPUTE OVER CUSTODY AND ACCESS ARRANGEMENTS

by

Maureen Ellen Reid-Olszowy  
and Rhonda Kay Hallberg-Zajc

A thesis  
presented to the University of Windsor  
in partial fulfillment of the  
requirements for the degree of  
Master of Social Work  
in

Windsor, Ontario, 1983

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Dedication

As James Framo so succinctly wrote  
" ...[I] believe that all dead parents  
are buried in their children" (Framo, 1932).

To our parents in loving memory

Lila Lea Hallberg

April 10, 1977

Charles Alfred Reid

June 1, 1971

### Abstract

This study proposed a preliminary examination of the three interventions utilized with couples in dispute over custody and access issues by describing a population of adults who had engaged either a mediation, arbitration or assessment process in attempts to resolve the dispute.

A follow-up survey was conducted of clients who had employed the services of the London Custody and Access Project from September of 1980 to October of 1982. The clients were grouped according to the clinicians' ratings of the processes which occurred during their interventions.

Mediation was defined as the intervention whereby the therapist remained neutral and assisted the couple by clarifying communications and alternatives for resolution of their conflicts. Arbitration was operationally defined as the process whereby the therapist acted as the third party expert, giving advice and direction to the couple throughout the dispute resolution process. Lastly, assessment was circumscribed as the process whereby the clinician provided for the court, clinical judgements which highlighted the couples strength and weaknesses as parents and described a plan which would best serve the interests of the children.

The findings reported on include 69 survey respondents, 25 of whom were interviewed. The researchers found that differences between the three intervention groups were, for the most part, in keeping with the concept of the processes existing along a continuum with assessment and mediation at the extremes and arbitration lying at some intermediary point.

The majority of adults from all three groups reported still having difficulties communicating with their ex-spouses around the children, even though they indicated their situations realized some positive change after receiving clinical services.

Although much has been written about the success of dispute resolution through a mediation process, this study examined it in comparison to the arbitration process and found it was important to employ differential interventions when dealing with couples in dispute over custody and access issues in order to effectively deal with each unique client situation. The researchers found those adults who had engaged in an arbitration process were pleased with the end results of their negotiations. It would appear from the preliminary findings that the arbitration process is extremely helpful for couples who have reached an impasse and are willing to engage with a third party expert to resolve their disputes.

Further distinctions between the three groups were assembled into hypothetical profiles, and suggested areas for future research were outlined.



### Acknowledgements

This study was made possible through the cooperation of the clinicians and clients of the London Custody and Access Project, London, Ontario, and in particular its coordinator Dr. Peter Jaffe. To the Project members and to Dr. Jaffe we extend our appreciation.

Throughout the various phases of this study we were assisted by persons whom we would like to thank. We extend our gratitude to our Research Committee, all of whom offered encouragement and guidance laced with diplomacy and patience. We wish to thank our committee chairman, Professor Robert Chandler, for his practiced eye and expertise with the computer, Professor B.J. Kiceker for sharing his knowledge and humour, and Professor Charles James for keeping us in touch with the real world.

We would also like to express our gratitude to our parents: Dr. Ted Hallberg for his assistance in clarifying the focus of this study, and Sylvia Reid for not only opening her home to us while we commuted to the University from London but also for her unfailing moral support.

Last, but certainly not least, we wish to express our heartfelt thanks to our husbands, George Olszowy and Carl Zajc, who endured this process with us.

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## INTRODUCTION

The alarming increase in the divorce rate over the past two decades has generated considerable concern not only among human service professionals but also with the public at large. It is estimated that nearly half (41%) of all the marriages in Canada end in divorce (Statistics Canada, 1983) and reportedly one in two in the United States (Troyer, 1979).

The consequence of this increase has been a substantially large population of persons seeking help through the labyrinth of problems encountered in the separation and divorce process. Several authors describe the divorce process in terms of crisis theory and report that a new state of equilibrium typically does not crystallize until two years following the marital separation (Kaslow, 1981).

Couples who are divorcing must not only deal with problems of an intrapsychic nature, such as feelings of failure, fears about autonomous functioning, depression, and loneliness, but must also cope with the pragmatics of changes in their living arrangements, financial and legal matters. These stresses are greatly compounded when there are children involved. Several researchers agree that one of the most difficult tasks facing divorcing parents is that

of redefining their coparental relationship (Ahrons, 1981). Just as the relationship between married spouses is a critical determinant of family interaction, so too is the relationship between divorced spouses critical to divorced family interactions (p. 416).

In order to conceptualize the impact of divorce on children in a family one must recognize that the dissolution of a marriage is not a discrete event but a complex dynamic social process. The psychological alienation and separation of the marital dyad usually begins long before the initiation of the legal process of divorce (Lamb, 1977) and the conflicts persist well after the divorce has taken place.

The impact of divorce on children must be understood in the context of divorce as a sequence of experiences involving a transition in the lives of children rather than as a single event (Hetherington 1979).

The divorce process is at best a difficult one and current research indicates that it has a significant traumatic effect on almost all children involved, albeit the effects may be only short-term (Wallerstein & Kelly, 1980; Hetherington, 1979). Limited data suggest that well-adjusted children from separated families come from homes where there is: (1) a low degree of interparental conflict and hostility preceding and following divorce (Jacobson, 1978; Rosen, 1979); (2) high agreement between parents on

child rearing and discipline (Hetherington et al, 1978); (3) cordial relations between ex-spouses; (4) regular visitation by the noncustodial parent (Hess & Camara, 1979; Rosen, 1979); (5) a climate which facilitates children discussing divorce related concerns (Jacobson, 1978) and; (6) minimal depletion of financial resources following the separation (Desemone-Luis, O'Mahoney & Hunt, 1979). The conclusion that parental cooperation, among other factors, weighs heavily on the success of post divorce adjustment of children cannot be denied.

Although divorce can be a beneficial alternative to irreconcilable conflicts in a marriage, some couples are unable to negotiate the emotional separation necessary for positive post divorce adjustment. Continued fighting between parents can take many forms, however the one which is the focus of this study is that of the custody and access dispute.

The researchers became interested in this problem area as a consequence of their intervention with divorcing couples in dispute over custody and access arrangements, and as a result of their rather global concern for the promotion of health in family life.

The most recent reports from Statistics Canada (1983) indicate that a relatively small number (15%) of divorces involving couples with children are contested. It is recognized that even though it is a small percentage of

cases which proceed to judicial trial, couples who do resort to dispute resolution through the court system experience high degrees of hostility and conflict-both correlates to poorer post separation and divorce adjustment of children (Jacobsen, 1978; Rosen, 1979).

As lengthy and repetitive court battles seem to exacerbate the destructive potential of the divorce process for both parents and children (Irving, 1980; Coogler, 1978; Kressel, Jaffee, Tuchman, Watson, and Deutch, 1978) alternatives to dispute resolution through the court system have been developed and appear to be growth producing experiences for some divorcing families. The practice of divorce mediation is one such alternative which has gained prominence within the past decade. Mediation refers to the involvement of a third party who aids the couple in reaching settlements co-operatively by opening lines of communication (Coogler, 1978). Studies indicate that couples having low levels of ambivalence as well as an openness to communication are able to engage successfully in a mediation process.

For couples not suited to a mediation process, clinical intervention may be ordered by the court and take the form of psychological assessment. Recommendations are made to the court addressing issues of the 'best interests' of the children involved.

The researchers were interested in investigating the nature of these two interventions, assessment and mediation, along with third intervention, namely advisory arbitration. This intermediary intervention strategy places the therapist in the role of a third party expert, offering suggestions and opinions to the couple throughout the dispute resolution process.

In evaluating the various interventions available to couples in dispute over custody and access issues much of the current research has focused on comparing divorce mediation to custodial assessments. However there are few comparative studies which investigate any other form of intervention. This study proposed to complete a preliminary examination of the two interventions, assessment and mediation, including another intervention, advisory arbitration, by analyzing the population engaged in the three interventions.

This study involved a follow-up of clients who had been served by the London Custody and Access Project from September 1, 1980 to October 1, 1982. The London Custody and Access Project is a voluntary association comprised of ten clinicians from a variety of clinical backgrounds operating under a common administrative umbrella. The Project serves couples in dispute over custody and access issues on a fee for service basis. The cases were reviewed according to the clinicians ratings of the processes

involved in the interventions and were classified as being either mediation, advisory arbitration or assessment.

Accordingly, a thorough literature review of the material available in the areas of custody and access dispute resolution interventions, and factors which correlate to parents' and children's post separation and divorce adjustment was conducted. A questionnaire was developed to measure demographic and adjustment related variables in each of the three interventions groups.

In summary, this study documented the differences between disputing couples who engaged in either an assessment, arbitration, or mediation intervention process, and analyzed them to determine post separation and divorce adjustment.

The results of this study will assist in developing a better understanding of the interventions being employed by the Project to assist disputing couples regarding custody and access issues.

## REVIEW OF THE LITERATURE

### Correlates to Children's Post Separation/Divorce Adjustment

Research in the area of children's post separation and divorce adjustment is gaining momentum and includes several studies correlating various factors to children's positive and or negative post separation and divorce adjustment. Almost all children experience the divorce of their parents as painful, even if it offers an escape from the stress of interparent conflict and hostility associated with the termination of a marriage and the dissolution of a family (Wallerstein and Kelly, 1980).

Hetherington, noted researcher in the area of children's adjustment to divorce, reports that children's most common early responses to divorce are anger, fear, depression and guilt (1979). She further notes that it is usually not until after the first year following divorce that tension reduction and an increased sense of well-being begins to emerge (p.851). Several researchers agree that a process of restabilization, that is, a return to a precrisis state, occurs by the end of the second year following the divorce (Kaslow, 1981).

Gardner (1976), like Hetherington, suggests that although divorce is a traumatic experience it need not be



psychologically damaging to children. In fact, the experience could have a constructive effect on the children involved. It is postulated that children may benefit from seeing emotions expressed authentically, as well as from observing their parents coping effectively with loss and separation. It is further speculated that these children become determined to work diligently in later years to make their own marriages happy.

A crisis model of divorce may be most appropriately employed for conceptualizing the short-term effects of divorce on children (Hetherington, 1979). In its simplest form, a crisis is the experience of one or more people who have a problem or conflict they cannot immediately resolve (Wicks et al, 1978). In the period during or immediately following the parental separation children may be reacting to any number of stresses in their life situation including: the marital discord and family disorganization typically preceding and accompanying separation; the loss of a parent; the distress and emotional neediness of family members; and other real or fantasized threats to the well-being of the child that result from the uncertainty of the situation (Hetherington, 1979, p.852).

Research evidence suggests that most children can deal with the short-term crisis of divorce within a few years, provided the crisis is not aggravated by continued adversity or multiple stresses. The longer term adjustment of the

child is related to the conditions associated with the quality of life in the restructured family (Hetherington, 1979, p.851). Lamb (1977) concluded in his report on the effects of divorce on children's personality development that there are no universal effects of divorce on children because there are no sequelae that can be identified as the inevitable consequences of divorce and family dissolution (p.164).

The following correlates to children's post separation and divorce adjustment were most frequently identified in the literature as related to both short and longer term children's adjustment.

### The Nature of the Continuing Coparental Relationship

#### Custody.

One of the most arduous and stressful tasks encountered by divorcing spouses is the redefining of their coparental relationship. Buchanan (1971) defines this relationship as the interaction between parents that permits them to continue their child rearing obligations and responsibilities after divorce. The process of coparental redefinition requires that the divorcing spouses separate their spousal and parental roles thus providing the framework for the divorced family's reorganization and redefinition (Ahrens, 1981). The determination of custody of the children is of paramount importance in expediting the

restabilization process for family members following marital separation. The majority of custody decisions are made by parents and accepted by the courts (Statistics Canada, 1983) however in a small but significant number of cases parents become embroiled in bitter disputes over the custody of their children.

Historically children were considered the property of their father, and mothers, under the law, were not recognized as having ultimate legal rights to their children in the event of divorce (Statistics Canada, 1983).

In the early part of the twentieth century the field of psychiatry gained prominence and the doctrine of the 'tender years' was espoused (Kaslow, 1981). This doctrine stated that children belonged with their mother at least until the age of seven, unless she proved to be unfit due to severe mental illness or moral turpitude (Kaslow, 1981, p.670). Early proponents of this doctrine warned of the psychological processes associated with early maternal deprivation and described the deep attachment that the average child had with the mother as crucial for the development of relationships in later life (Rosen, 1979).

The doctrines of 'the tender years' continues to greatly influence judicial thinking, as evidenced by the large number of custody awards made in favour of the mother (Statistics Canada, 1983). However, the women's movement has not only served to liberate women but has also aided in

liberating men, and thus the favouring of the mother as custodial parent has been seriously questioned by several authors who argue that the 'tender years' doctrine is based upon the psychological fact of motherhood rather than upon the objective factors relating to the child's best interest (Rosen, 1979; Hetherington, 1979; Kaslow, 1981). This argument was further supported by Lamb who uncovered little evidence in his study to validate the assumption that custody should always be awarded to the mother.

In her article, 'Divorce and divorce therapy' (1981), Kaslow expresses the view that "where one parent is to have primary custody, a critical factor in determining which one it should be, assuming that both parents want it and are capable, is which parent is better able to share the children with the noncustodial parent and to facilitate visitation and phone contact, rather than impede these" (p. 671).

Rosen (1979) in her study of 92 children of divorced parents ranging in age from nine to twenty-eight, found no significant differences between the mother custody group and the father custody group on any measures of child adjustment. She further observes "the lack of any significant relationship between age of the child at the time of divorce, sex of custodial parent and present adjustment suggests that the 'tender age doctrine' is open to critical reevaluation" (p. 413)

In another study, Kurdek, Elisk and Siesky (1981) examined the correlates to children's long-term adjustment by surveying 58 white, middle-class children ages 8-17 whose parents had been separated approximately four years. They concurred with Rosen's findings that the long-term adjustment of children was not negatively influenced by an opposite sex custodial parent.

In cases of split custody, where one parent assumes sole custody of one or more children, and the other parent also assumes custody of one or more children, it is apparent that the sex of the child is a significant determinant of how custody will be awarded (Chang and Deirnard, 1982). However few studies address other issues of split custody, nor did we discover any empirical research on children's adaptation to split custody arrangements.

Reports on joint custody, where both parents retain legal custody and the children live with one parent or perpetually change their residence, would indicate that although this has merit for some families it is not a universal solution to a custody dispute. In his article 'In whose best interests' Joseph Goldstein (1976) quotes Chief Judge Bieitel of the New York Court of Appeals as stating that

entrusting the custody of young children to their [divorced] parents jointly, especially where the shared responsibility and control indicates alternating physical custody, is insupportable when parents are severely antagonistic and embattled...it can only enhance family chaos (p. 21).

Findings from a study of 51 children living in a joint-custody arrangement suggest that children's reactions are highly individualistic (Steinman, 1981). This diversity is undoubtedly a result of the various combinations of residential arrangements made in a joint custody agreements. It would appear from this study that the success of joint custody is dependent upon a co-operative coparental relationship.

#### Custodial Parent and Noncustodial Parent Factors.

Several studies have investigated the association between the nature of the relationship between custodial and noncustodial parents and their children's post separation adjustment.

Jacobson (1978) conducted a three part study of 51 children from thirty families in which she measured child adjustment following parental separation using the Louisville Behaviour Checklist. In all but one of the families the mother was the custodial parent and in the case where there was an exception the parents shared custody of the children. In the first of her three part study Jacobson designed an instrument to test the effects of time and activity lost with each parent as a result of the separation. Jacobson found a wide range of change in the amount of time and activity spent with the children after marital separation - sometimes in the direction of loss and other times in the direction of gain. There was a

statistically significant negative correlation found between the time lost with father and the child's current adjustment (ie. the more time lost with the father the higher the maladjustment (p.4)). Further, this trend was stronger for children aged seven to thirteen than those age three to six. There was no significant relationship found between the time lost with the mother and child adjustment.

Hess and Camara (1979) concurred with these findings and found that well-adjusted children came from homes where there was regular visitation made by the noncustodial parent.

Lamb (1977) also emphasized the factor of father absence noting the following major social implications:

1. The absence of a male adult whose role sons can learn to perform through imitation and daughters can learn to complement through interaction.
2. The absence of a major socializing agent or disciplinary figure.
3. The loss of family income.
4. The loss of emotional support for the wife/mother.
5. Social isolation engendered by the social exclusion inevitable in a social system in which families are often treated as elemental units (p.166).

However, in contrast to these findings, Kurdek, Blik, and Siesky's study (1981) of the correlates to children's long-term adjustment found that well-adjusted children were

older and experienced infrequent visitations from the noncustodial parent. The researchers speculated that diminished contact with the noncustodial parent could decrease older children's hopes for reconciliation, increase their awareness of the parent's incompatibility and facilitate their turning to peer supports, all of which could have positive affects on the children's adjustment.

Hetherington, Cox and Cox, (1977) sampled 36 white middle-class girls and 36 white middle-class boys and their divorced parents all from families where custody had been awarded to the mother. An equal number of intact families comprised the comparison group. The researchers made considerable efforts to match the respondents from the two groups according to such variables as age, education and length of marriage of the parents, as well as sex, age and birth order of the children (all of whom attended the same nursery school). The parents and children were interviewed at two months, one year and two years following divorce. They found that at two months about one-quarter of the divorced fathers, in their eagerness to maximize visitation rights and maintain contact, had more face-to-face contact with their children after the separation than they had before the divorce. However, fathers became markedly less available to their children and ex-spouses over the course of the two-year period. They also found that the divorced parents made fewer maturational demands of their children,



communicated less well with them, tended to be less affectionate and showed marked inconsistency in discipline and lack of control over the children in comparison to parents in intact families (p.430).

In a study of the differences between twenty custodial mothers and seven custodial fathers (Ambert, 1980) three main findings emerged:

custodial fathers reported better child behaviour toward them than did custodial mothers; the children of custodial fathers verbalized their appreciation for the father, but children of custodial mothers did so only rarely; and the behaviour of children of lower socioeconomic status custodial mothers was by far more difficult than that of higher socioeconomic status custodial mothers (p. 76).

Hence Ambert found that satisfaction with the experience of parenting was greatest for custodial fathers, moderate for higher socioeconomic custodial mothers and least for lower socioeconomic status custodial mothers.

Lamb (1977) in his review of the studies on the effects of mother absence on children notes "fathers must fight for custody of their children, so the few who are successful are likely to represent unusually devoted and committed parents" (pp. 169-170). In contrast he believes mothers are often assigned custody by default and as such there may be more of a range of single parent mothers who are extremely devoted to their children and those who are extremely rejecting. Hetherington (1979) reports that in many cases difficulties for female custodial parents are compounded by the stresses

associated with downward economic mobility. Many women are ill-prepared to enter the work force and if they are able to gain employment, often their children, especially preschoolers, are faced with the double loss of having their mother away for lengthier periods of time. It is also noted that children may experience maternal deprivation if their mother has to stretch herself too much to meet the added demands of single parenthood.

Wallerstein and Kelly (1980) in their five year study of 60 divorcing families concurred with these findings and reported the "reverberations of the conflicts and pressures within the parent-child relationship during the initial post separation crisis period were profound and greatly strained the custodial parents' capacity to parent" (p.110). Thus the functioning of the custodial parent post divorce played a large part in the child's own level of adjustment in the first year following the divorce (p. 108-120). They also found that most of the custodial parents were women and that the majority were employed full-time. These mothers reported finding the colliding demands of home, work and children very stressful. Women who did not work also reported feeling stressed and overwhelmed by the divorce, the sole child rearing responsibilities, and social isolation, to the point where they were not able to venture into the work world.

Along the same lines as Wallerstein and Kelly's findings Kurdek et al (1981) found that there was a negative relationship between children's divorce adjustment and the custodial parent's personal competence. As noted by Wallerstein and Kelly (1980) divorce often results in diminished competence in parenting. Kurdek et al hypothesize that, "a parent who is hardworking achievement-oriented, assertive, self-controlled, responsible, and dependable may not be able to be receptive to the child's need and views, a core characteristic of effective parenting and a key indicator of positive outcome of divorce" (p. 577).

In terms of discipline of the children, Wallerstein and Kelly (1980) found that the role of disciplinarian was extremely difficult to assume for mothers. The researchers were surprised to find that the fathers had played the dominant part therefore, the role of disciplinarian was a new one for the custodial mothers. Further the noncustodial parents in this study reported feeling afraid of rejection by their children and as a result reported being unusually generous with special treats or money.

The child respondents in this study described their world as being unstable and therefore unsupportive, a factor the researchers felt was aggravated by the absence of one parent. Several of the latency aged children reported their reliance on one parent felt "scary" (p.45).

In terms of the coparental relationship, it was reported that perhaps half of the mothers valued the fathers continued contacts with his children, and protected the contact with care and consideration. One-fifth of the mothers perceived no value in the father's continued involvement whatsoever and actively tried to sabotage the visits by sending the children away just before the father's arrival. However two-thirds of the women reported feeling moderately or severely stressed by the visits during the first year following the separation and a great majority of the men felt the same way. Hence it can be concluded that, although contact with the noncustodial parent and a cooperative coparental relationship are factors in the child's adjustment, ongoing contact between parents is extremely difficult for separated adults.

#### Parental Communication and Conflict

Most authors agree that a continued cooperative and supportive relationship between divorced parents reduces the adverse effects of divorce on children (Jacobson, 1978; Hetherington, 1978; Hess and Camara, 1979). In her study of 54 divorcing couples Ahrons (1981) found that sixty-six percent of the couples were able to discuss child-related issues in person (generally when visits were taking place) and that some (thirty-five percent) were able to arrange specific times to discuss child-related issues. When

subjects were asked to compare their coparenting relationship to that of their still-married parent relationship the majority reported their relationship was better one year post divorce than it was at the time just prior to their separating.

Fifteen percent of the respondents had no contact with each other and arranged the father's visitations either by strictly adhering to the court-determined arrangement for visitation or, in the case of older children, through the children themselves. The issues the parents reported discussing most frequently dealt with major decisions concerning the children (ie. changes in school, children's health problems) and less frequently discussed were day-to-day decisions regarding the children's lives. The items reported which generated conflicts dealt with financial matters and discussions of the children's adjustment to the divorce (p. 427). These findings are optimistic in that they suggest that couples can continue to relate to one another as concerned parents despite the fact that they are no longer married. However, for some couples divorce does not mark the end of the conflicts in their relationship and the resulting adverse effects on their children are of great concern.

Hetherington (1979) discloses that family conflict does not decline once a couple separates but in fact escalates in the first year following divorce. During this period

children in divorced families, especially boys, show more problems than do children from discordant nuclear families (p. 855). The conflict between parents often enmeshes the child in controversy and parental quarrelling, mutual denigration and recrimination place the child in a situation of torn loyalties. The vast majority of children wish to maintain relations with both parents (Hetherington, 1979) and as one study points out, the negative effects of divorce are greatly reduced when positive relationships with both parents are maintained (Hess and Camara, 1979).

In the second of her three part study Jacobsen (1978) examined the association between the interparent hostility that the children had experienced and their adjustment to the separation and divorce. Jacobsen's study is one of the few which focuses exclusively on interparent hostility in the context of parental separation and divorce. Several authors concur that there is an adverse relationship between interparent hostility and children's adjustment in non-divorcing families, and some have compared children's adjustment in intact family situations where there is considerable interparent hostility to children's adjustment in divorced family situations, however few have investigated the association following separation and divorce (Anthony, 1974, pp. 461-479; Hetherington et al 1977). Jacobsen found that an important aspect of child adjustment to parental separation and divorce was the amount of interparent

hostility to which the children had been exposed (p.17) however it is important to note that the parents of the children involved in this study were all only recently separated (within the twelve month period prior to the first interview).

Rosen (1979) established that the level of interparental turbulence weighed heavily in the determination of children's post separation and divorce adjustment. She found that children were poorly adjusted when there was a high degree of parental disharmony either preceeding or surrounding the divorce or both. She also observed that a highly significant relationship existed between the general adjustment of the custodial parent and the degree of interparental turbulence (p. 412). Parents who rated as well-adjusted had engaged in less turbulent interactions with their spouses.

Westman and Cline (1971) reviewed 105 divorce cases which came through the Dane County Family Court and reported fifty-two percent of these couples engaged in hostile interactions requiring court intervention, and thirty-one percent included repeated intensive interactions requiring numerous court actions (p. 79). These researchers outlined five typical patterns of post divorce turbulence found among the families they surveyed:

- (a) hostile interaction between divorced spouses over parenting roles, often with charges of one spouse or the other being inadequate and a custody battle ensuing
- (b) continued conflict between divorced spouses, but not involving the children

or extended family (c) perpetuation by the children of interaction between their divorced parents (d) special alliances between one parent and child against the other parent and (e) continued interaction of divorced partners, perpetuated by the extended family (p. 80).

In conclusion the finding that interparent hostility is an important factor in determining children's post divorce adjustment is well documented in the literature.

#### Parent-Child Communication.

Various studies have examined the nature of the parent-child communications regarding the separation and divorce as they relate to the child's future adjustment. Caplan (1961, pp.33-63) suggests that, in regard to grief, open discussion of the realities and feelings can be helpful before a loss and that repeated discussion of changes and feelings after a loss is also associated with positive adjustment. In terms of parental communication with the child during the divorce process several authors concur that an atmosphere of open inquiry, in which the child is made to feel that most questions will be answered, is optimal for positive adjustment (Jacobson, 1978, p. 173).

Jacobson (1978) in the third of her three part study examined the parent-child communications around the parental separation. She observed that parent-child communication in the following areas was of paramount importance: "(a) explaining the divorce or separation to the child honestly and realistically with awareness of the age-related capacity for understanding and, (b) giving the child considerable



opportunity to express feelings before and after the separation" (p.188). Further she emphasized the significance of parents seeing their children as needing help and having the capacity to reach out to the child regarding the separation. The findings of her study clearly indicated the importance of parents paying attention to the child around the separation and remaining open to discussing problems. However Jacobson found few parents prepared their children for the impending separation. Jacobson concedes this task may be either too difficult or impossible for parents to carry out, particularly in cases where the parents are grappling with a situation they never expected would occur.

Rosen (1979) determined in her study that only forty-five percent of the children surveyed considered that their parents had given them a satisfactory explanation of the divorce. She further observed that mothers communicated more meaningfully with their children than did fathers in this respect (p.412). As a result of these findings she recommended that divorcing parents should be counselled regarding the need for more communication with their children around the time of marital problems, and specifically about the marital problems (p.414).

### Adult Adjustment of Divorcing Parents

Adult adjustment of parents in the divorcing process is another area that has been explored from several perspectives and includes comparisons between such variables as sex, socioeconomic status, social support systems, and custodial status.

Studies indicate that one of the greatest stress factors for separated adults is coping with limited financial resources. What was once an adequate family income must now be stretched to accommodate two households, a part of the process which often causes hardships and negative feelings on the part of both parties. Women particularly have been found to suffer from the change in economic status.

In a study by Luepnitz (1982) based on indepth interviews of sixteen custodial mothers, sixteen custodial fathers and eighteen joint custody parents, the majority of women reported that they had felt the effects of discrimination against their new marital status, especially from potential apartment landlords. It also appeared that the custodial parent most frequently maintained the rights to accommodation in the matrimonial home (eighty-one percent of the custodial fathers and fifty percent of the custodial mothers remained in the matrimonial home). Further when male and female respondents were asked to rank a list of nine stress factors, economics was rated as the most stressful by women and rated as third highest of the stresses by the men in the

sample. The median income for women dropped as much as two brackets whereas the men's median income increased or stayed the same after the divorce. (Luepnitz, 1982 p.55) This held true even though women's incomes were augmented by alimony and child support payments. Although men may have payed alimony and child support, their incomes had enjoyed increases at higher and quicker rates than employed women.

The study also demonstrated that the emotion of loneliness was an overwhelming factor for both men and women in their adjustment to divorce. For custodial fathers they indicated that loneliness was the highest stressor on the rank stress scale of nine items. Custodial mothers ranked loneliness as third. It is of interest to note that custodial females rated economic factors as the highest stressor and loneliness as third while custodial males ranked loneliness as number one and economics as third.

In terms of social supports, sixty-two percent of all the parents reported that there "was no overlap between their support group of the present and that of the predivorce past" (p.124). Many of the parents explained this phenomenon by stating that their ex-spouse had been their only support group in the past or they had been supported by friends held in common with their ex-spouse with whom they had since chosen not to have contact due to high levels of discomfort for everyone. Fifty percent of the respondents reported that some form of a single parents group was now

their support network. At the time of the study, the parents had been separated for an average of three years, and ninety-four percent of the fathers reported they were dating twice a month to three times a month while, fifty-six percent of the women reported they were dating at the same frequency (pp. 129-130). Further, fifty-six percent of the fathers indicated that they definitely wished to remarry and only twenty-five percent of the women felt that way.

In the study by White and Bloom (1981) thirty-six men were interviewed at approximately six months after their separation. Similar to the study by Luepnitz, White and Bloom found that loneliness was considered the most difficult problem. The authors found this variable to be the most pervasive problem for the men and highly predictive of overall adjustment. Also the study suggested that the men who became involved in a heterosexual relationship were better adjusted than those who did not do so. The researchers noted that two distinct social patterns appeared, the first being one where the respondent preferred to be socially isolated and, inversely, the second pattern manifested as one where the respondent reported becoming over-involved socially and made a rapid reattachment in a relationship.

In contrast to any survey including women, the majority of this sample of men reported that they believed their post separation incomes were adequate to meet their needs. This

majority included the twenty percent who were paying alimony and the twenty-two out of twenty-three fathers who paid child support.

Physical illness also seemed to be a difficulty for this group and fifteen out of the thirty-five reported ongoing physical and emotional problems. Such difficulties can be related to the immediate crisis state that these men were tested in.

Spanier and Casto (1979) postulated the theory that divorced adults have to make two separate yet overlapping adjustments: the adjustment to the dissolution of the marriage, and the adjustment to and coping with the process of getting on with a new life. Adjustment to the end of the marriage includes such tasks as coping with the legal process, coping with all the issues related to custody, dealing with and informing the person's social network of the divorce, as well as adjusting emotionally to the divorce situation. Getting on with the new life includes such tasks as; setting up a new residence and household, adjusting to the new income level, coping with a new job or entering the work force, coping with single parenthood, developing a new social network, reentering the realm of dating and of heterosexual relationships, as well as completing long term emotional adjustment. For almost all persons, the individual disorganization that is brought on by the divorce experience disrupts the habitual patterns of life set up

through, what often is, years of relating to one primary person.

In their study of twenty-two females, twenty-two males, and a total of eighty-two children the researchers found that children and single parenthood were major problem areas for most adults. Parents generally worried a great deal about their children and how the separation and divorce experience were affecting them. The majority of the parents appeared to be trying to do what they believed was best for the children.

This study also found that a high majority of respondents (84%) had found friends and relatives to provide a much needed support system. People who were able to rely on a support network of friends and relatives experienced less emotional maladjustment as well as did those people who were involved in heterosexual relationships. Even people who dated occasionally experienced less emotional problems than did those who did not date at all.

Other emotional factors gleaned from the data by the researchers showed that those persons who experienced greater emotional difficulties were also persons who reported that they were not emotionally prepared for the divorce and remained emotionally attached to the ex-spouse. However, there was also a significant minority where emotional attachment was not a problem and the divorce was a mutual decision.

This study also investigated economic adjustments, a significant factor in their hypothesis of the tasks required for coping with the process of setting up a new life. This was the only variable in which significant sex differences were found. The majority of the males reported their economic situation was satisfactory since as many had received salary increases since the divorce or enjoyed no change in their economic status. The majority of women reported that they now had significantly less money available to them than before the separation and divorce.

Stan Albrecht (1980) criticizes prior research for its lack of a thorough examination of the male and female differences in adjustment to divorce and separation. Albrecht studied five hundred divorced persons in "terms of the degrees of stress and trauma divorce created for the respondents" (p.60). The research focused on the change in social participation, satisfaction with the present life situation, the nature of the property settlements and the degree of satisfaction with that settlement. In general Albrecht found that females perceived the divorce as more traumatic than did males. For all persons the greatest contribution to the trauma were feelings of failure attributed to the marital breakdown. The majority of the respondents reported that the post divorce stage was a life of greater happiness and over all satisfaction than was life during the predivorce stage. Albrecht had hypothesized that

the most common social support pattern for the respondents would be one of withdrawal. However, the data revealed that for thirty-nine percent of the females and thirty-five percent of the males, the involvement in activities and social clubs increased. The pattern that seemed to reveal itself the most appeared to be one of a decline in participation during the first year and then a return to the individual's normal level. All respondents, particularly females, reported that their families had become somewhat of a more important support than previously.

Albrecht's study also found that females experienced greater impact from the changes in their economic status. Forty-eight percent reported that their status was much lower than before while seven percent of the males reported a change. It appears then that the majority of the studies agree that the greatest impact for divorced or separated women in their adjustment to their new status is their downward economic mobility which in turn influences other areas of adjustment.

In the two year longitudinal study completed by Hetherington, Cox and Cox (1976) it was also reported that the three primary problem areas for adjustment were economics and occupation; development of a new social life and support system; and maintaining a positive self concept and adjusting to a new identity. Contrary to Albrecht's study, these researchers found that two months after the



divorce, fathers were involved in a frenzy of dating, social activities, and courses. However, by two years this high level of activity had diminished. It was also found that divorced mothers reported feeling overwhelmed by the single-parent duties and the social isolation that went hand in hand with it. In that first year a majority of the men reported high activity of dating where they enjoyed a new sexual freedom. Yet by the end of the first year, both men and women reported a desire for intimacy. In general then, "intimacy in relationships showed a positive correlation with happiness, self esteem, and feelings of competence in heterosexual relationships for both divorced and remarried men and women" (p.423).

There are other studies in the literature that present results similar to the studies noted here. It appears from the literature that the main causes of stress, and primary variables affecting an adult's adjustment to the separation or divorce are, economic factors, the adult's ability to have a social support system, some form of involvement in heterosexual relationships, and the adult's degree of emotional attachment to the ex-spouse. There appear to be some differences in the general adjustment of the parents related to sex and there also appears to be difference in the general adjustment of the adult related to the length of time having elapsed between the crisis of the separation and the time when the research was completed. This is directly

related to crisis theory which indicates that the greatest adjustment difficulties are evident at the initial crisis until new coping mechanisms can be put into operation.

### Variables Related to Children's Reactions to their Parents' Divorce

In contemplating how children experience and react to divorce and to the new structure of their family, researchers are beginning to examine the interplay among situational stresses and support systems (Hetherington, 1979). Empirical research indicates wide variability in the quality and intensity of responses and adaptations to divorce exist among children. As Hetherington articulates "some children exhibit severe or sustained disruptions in development, others seem to sail through a turbulent divorce and stressful aftermath and emerge competent, well-functioning individuals" (p.852).

Selected variables which have been highlighted in the literature as positive and or negative correlates to children's post separation and divorce will follow.

#### Child's Developmental Status.

Wallerstein and Kelly (1980) reported that use of developmental theory was critical for explaining the child's initial behavioural response to divorce. That is, the child's perceptions of the divorce, their thoughts, their feelings about the marriage and the departed parent, their understanding of what had happened and what would happen,

their fears and worries, all to a considerable degree were governed by their age and place along the developmental ladder at the time of the marital breakdown (p.51).

One of the major discoveries from Wallerstein and Kelly's longitudinal study was that the initial response of children to divorce was closely age-related, and thus the researchers developed distinguishable categories of behaviours in children within age parameters. Children's reactions to their parents' divorce were largely negative and varied as a function of their developmental level. Preschoolers (approximately three to five and one-half years old) were likely to form faulty perceptions of the reasons for their parents separation, and experienced eating disturbances, bedwetting, nightmares, problems of sexual identity, and guilt over having caused the departure of the noncustodial parents (pp.56-65). Further it was noted that the mothers of many of the thirty-four children aged two and one-half to six years were depressed and that their relationship with their children had deteriorated while the relationship with the noncustodial fathers improved.

Of the twenty-six young school age children, six were judged to have regressed at the one-year follow-up. At the initial interview they showed pervasive sadness. They could not deny this feeling like the two and one-half to six-year olds, nor sublimate it in various peer group activities like the nine-and-ten-year-olds. Fourteen of the children had

difficulties and exhibited depressed behaviour one year after the initial interview, and a further seven had school difficulties and poor peer relationships (pp. 66-78). Common reactions of school-aged children were depression, withdrawn, somatic complaints, marked deterioration in school performance, anger, and persistent requests for explanations as to why the noncustodial parent's leaving ever had to occur (pp. 66-78). Finally, adolescents experienced problems in interpersonal relationships, independence and self-identity (pp. 81-91). Adjustment among older children was related to the custodial parents refraining from perceiving their children as sources from which their own emotional and social needs were to be met (p.115). Hence, a general impression from these findings was that younger children seemed to be more obviously disturbed by divorce, especially when the custodial parent was depressed or angry.

In another study, Kurdek and Siesky (1980) found considerable support for taking a cognitive-developmental approach to investigating the effects of divorce on children. These researchers reported that, by far, the most powerful variable moderating children's reactions and adjustment to their parents' divorce was age (p.375). They found that older children were more likely to;

- (a) define divorce in terms of psychological/emotional separation; (b) offer a two-sided explanation of the divorce; (c) react less negatively to the news of the divorce, the loss of the noncustodial parent, and the altered

nature of the family system; (d) perceive the parents' separation as final; (e) report the absence of parental fighting as a beneficial consequence of the divorce; (f) share information about the divorce with friends; (g) possess perceptions of both parents that were a realistic combination of both positive and negative attributes; (h) reports qualitative improvements in interactions with the noncustodial parents; and (i) acquire strengths and responsibilities as a result of the divorce (p. 376).

The researchers went on to caution that age per se was a cloak type variable which covered a wide variety of more specific age-related processes. The two processes identified in this study, which held true for not only older children but also younger, were internal locus of control and a high level of interpersonal knowledge (p. 376). Thus children who perceived events as being under their control were less likely to construct a view of divorce and its consequences as an attack from external forces, and further, a high level of interpersonal knowledge enabled the child to accurately perceive the nature of the interpersonal events underlying the parents decision to divorce.

Kalter and Rembar (1981) in their study of five hundred outpatient evaluations, found that separation and subsequent divorce during the child's earliest years was associated with a significantly higher incidence of non aggressive behaviour in the parent-child relationship in both the male and female latency-age groups. The researchers speculate that when marital dissolution occurs at a time when youngsters are coping with the normal development tasks of

separating from parents a special vulnerability to separation related difficulties may be established (p. 97).

### Sex of the Child.

Wallerstein and Kelly (1980) in their five year study of the effects of divorce on children found that during the first follow-up one major theme which emerged was the widening gap between the sexes. They observed that "girls predominated among the children who looked well" (p. 164). Nearly twice as many girls as boys improved in their overall adjustment and functioning from the initial assessment, but this striking difference did not appear among adolescents (p. 165). Further, boys presented as more opposed to the divorce than their sisters, felt significantly more stressed and more had remained intensely preoccupied with the divorce. The girls, in contrast, presented as happier, saw the divorce as an improvement in the family situation had more friends and were more likely to draw on friends as a support system (p.166).

The differences in boys' adjustment and girls' were in part attributed to the differences in their post separation relationship with one or both parents. There were indicators that girls were treated somewhat better by teachers and by their mothers than were their brothers. Further, girls were more protected than their brothers from witnessing family quarrels and parental conflicts (p. 166). However as Wallerstein and Kelly observed that "most of the

differences in mothering were age-related rather than sex-related (p. 167). By and large, women and men treated their young children, of either sex, with more care and compassion than they treated their older children.

The relationship between fathers and daughters following the marital breakdown showed a greater consistency than the relationship between fathers and sons. This factor was cited as possibly being important in explaining the poorer adjustment of boys (Wallerstein and Kelly, 1980). These empirical findings support the major developmental theories of sex-role typing which attributes considerable importance to the father's role in this process. As Hetherington (1972) reports in her study of the effects of father's absence on the personality development of adolescent daughters:

psychoanalytic theorists emphasize the daughter's competition with the mother for the father's love as a critical factor in identification; role theorists have suggested that because of his differential treatment of sons and daughters the father is the most important figure in the reciprocal sex-role learning of offspring of either sex; and social learning theorists have assumed that the daughters' acquisition of feminine behaviour and of the specific skills involved in interacting with males is at least partly based on learning experiences and reinforcements received in interactions with the father (p.313)

Hetherington's findings suggested that disturbances in social and emotional development of girls had largely disappeared two years following the divorce, although they reemerged at adolescence in the form of disruptions in heterosexual relations.

Hetherington, Cox & Cox (1978) concurred with the findings of Wallerstein and Kelly's study and report the impact of marital discord and divorce is more pervasive and enduring for boys than for girls. They further noted that boys from divorced families showed a higher rate of behaviour disorders and problems in interpersonal relations at home and in the school with teachers and peers.

Lowenstein and Koopman (1978) investigated the self-esteem of boys between the ages of nine and fourteen to determine if there was an association between the child's self-esteem and sex and adjustment of the custodial parent. The findings revealed that there was no significant differences between the self-esteem of boys living with mothers and those living with their fathers. Further they indicate that the self-esteem of boys who saw their absent-from-the-home-parent once a month or more was significantly higher than the self-esteem of those boys who saw their absent-from-home-parents less than once a month (pp. 206-207)

### School.

Wallerstein and Kelly (1980) observed that while divorce did not significantly alter school performance on the whole, there were some changes worth noting. Three-fifths of the youngsters were doing average or better work at the five-year post divorce interview. Of the remaining youngsters, nearly one-quarter were performing below average and sixteen



percent had extremely poor grades. Among those children functioning poorly, "a significant number were between the ages of thirteen-to-sixteen-years old" (p. 279). The group of students who were functioning poorly in school were broken down into two groups: those who functioned poorly predivorce and those whose functioning lowered after the divorce. Of the children whose poor school functioning was essentially unchanged since the separation, there was parallel evidence of a troubled psychological adjustment as well (p. 283). For those children whose performance deteriorated over time, the events subsequent to, or set in motion by the divorce over burdened and stressed their ability to function academically. The deterioration in the relationship between the custodial parent and the child and the failure of the father to remain interested in his child were significant factors separately or in combination with each other which effected the child's general performance (p.283). Finally, it was established in the study that academic performance was not significantly related to the father's or mother's economic level.

Economic Conditions. This factor appears to be most relevant to the single-parent mother's situation where the effects of the father absence's leaves the family in a near poverty-stricken economic condition. Reports by the children of feeling worried about the changed economic realities were frequently noted in Wallerstein and Kelly's

(1980) study. Further, financial discussions were often the focus of intense hostility between separated couples.

#### Relationship with Siblings and Peers.

The relationship between siblings is often a good indication of a child's ability to relate to others in the future, and as one author so succinctly wrote, sibling interactions are the laboratory for future peer relationships (Minuchin, 1974). Wallerstein and Kelly (1977) found that on the whole, sibling support appeared to be a positive force in divorced children's lives. Siblings had the potential for supporting each other in empathic ways. Yet, the reverse was also observed where negative interactions between siblings served to further a child's feelings of alienation, injustice and anger (p.27).

Peer support and other activities were found to be positively related to children's adjustment, however children's ability to reach out to peers varied from child to child and with the age of the child.

This concludes the literature review dealing with parents and children's post separation and divorce adjustment. The following section describes the literature relating to the three intervention strategies employed in custody and access dispute resolution.

## Mediation

Mediation is a service to separating and divorcing couples who are in dispute over issues around the dissolution of the marriage. These issues most commonly take the form of disputes over family property, and in particular, custody and access to children.

Mediation has roots in Japanese, Chinese, Jewish and other cultures where emphasis is placed on the avoidance of formal litigation to resolve disputes (Irving, 1980). In western cultures dispute resolution through mediation is commonly found in labour negotiations and in national and civil rights disputes (Bahr, 1981). The divorce mediator is described in the literature as being similar to the labour mediator where, ideally, both make careful efforts to avoid having any attachments or alliances to either party. The clinician who is mediating a divorce settlement is particularly careful to avoid identification with either member of the couple, their attorneys, or the court system (Haynes, 1978). In North America the acceptance and expansion of divorce mediation services is largely due to the adoption of 'no fault' divorce laws, and concomitantly, the increase in the number of divorces resulting in an increase the demand for court services. Wiseman and Fiske (1980) note that in 1980 there was a two year wait in the U.S. family courts for hearing contested divorces. When the demand for court time was manageable, the court system

contained the process, however there is now a backlog that is resulting in cases being served tardily (Irving, 1981).

Human service professionals have come to understand that divorce is a traumatic experience for virtually all participants. Further legal advocates are of the view that most problems involved in completing a divorce decree are relationship problems, not legal problems (Steinberg, 1980). Although mediation as an alternative to the court system for some disputing couples, has been endorsed by many as a desperately needed public service, critics of the service are cautious and view it with skepticism, feeling that its limitations and effects have not fully been explored (Bahr, 1981).

Presently there are divorce mediation services available in centres throughout the United States and Canada, as well as through a number of individuals who are now offering mediation services within their private practice. In 1982 the Family Mediation Association, first created by O.J. Coogler in 1974, boasted of seven hundred members (Schwarz, 1982). The literature reveals that although the goals and values of divorce mediation are similar among practitioners, the format of these services differ greatly. To a large extent all of the services available have been based on the philosophies developed by the Los Angeles County Conciliation Court which began in 1939 (Irving, 1980 p.47). The format and methods of

providing divorce mediation services include models such as: lawyer and therapist teams serving a family; (Wiseman, Pisk 1980; Steinberg, 1980) individual therapists providing the service and gaining feedback and support from a multidiscipline team; (Scheiner, Musetto & Cordier, 1982; Irving, Benjamin, Bohn, Macdonald, 1981; Coogler, 1978) and male/female combinations of therapist and lawyer teams (Pearson, 1981). Some services mediate all aspects of divorce believing that custody, property division and financial support are interrelated and cannot be divided and then resolved. Other services mediate only custody and access disputes insisting that additional issues are certainly interrelated but also interdependent; thus learning to solve one issue results in the couple gaining problem-solving skills.

Regardless of the format used in mediation, be it a team or individual approach, mediation aims to engage a neutral third party in assisting a separating couple who are in dispute. The primary goal of mediation is to keep the couple's dispute out of the court system. This goal is based on two criticisms of legal divorce proceedings: that the legal system is unnecessarily expensive for the family and that divorce is a very emotional and complex transition that can be aggravated by a system based on an adversarial process. Studies report that conflict between parents adversely affects all aspects of the separation and divorce

process, and as previously noted, is particularly harmful to children (Bahr, 1981). Research indicates that it is the process of divorce, where the children are used and exploited, rather than the event itself that most disturbs children. (Scheiner, Musetto, & Cordier, 1982 p.99) It follows then that divorce mediation aims to; reduce the level of conflict between the couple, facilitate communication between spouses, transform what was previously seen to be an insurmountable problem into a solvable issue, provide suggestions for alternative problem-solving strategies, facilitate the most efficient use of the court system and help the couple achieve a written agreement outlining the mediated settlement. (Irving, Benjamin, Bohn, Macdonald. 1981) Mediation emphasizes cooperation and patience between a couple, and encourages the couple to be in control of their own separation and divorce settlement and of their new coparental relationship (Wiseman & Fiske, 1980).

Mediation of the issues involved in separation and divorce disputes is not possible for some couples. In the study completed by the Family Court of Toronto (Irving, Benjamin, Bohn, Macdonald, 1981) it was found that agreements were especially difficult when couples remain emotionally attached to each other. It was also found that mediated couples reported significant improvements in their life satisfaction levels. A couple's ability to mediate

their dispute was inversely related to the magnitude and severity of the problems reported to be between the couple. Mediated couples appeared to return to court less frequently than nonmediated couples. Even when couples wished to modify their agreements it was found that few mediated cases returned to court. Instead it was noted that couples were more likely to modify the agreement on their own (Irving et al., 1981).

In the study of nine mediated cases and five non-mediated cases, Kressel, Jaffee, Tuchman, Watson, and Deutsch (1980) found that couples who were not able to emotionally separate were least likely to engage in a mediation process. Further it was found that the couple's mutual agreement on the decision to divorce was an influencing factor in their being able to mediate their dispute. This study suggests that an association exists between the couples degree of conflict before and during the separation, and their ability to engage in a mediation process.

In the report by Ruth Parry of Toronto, Ontario (1978) attention was focused on the couples who were unable to resolve their dispute. The study suggests that these couples were the parents who were least able to put their children's needs before their own. It was also apparent that for some clients the dispute became a vehicle for holding onto the relationship.

In a sample of fifty-six couples drawn from the population at the Denver Project, thirty of the couples were able to come to an agreement on custody and or access and twenty-six were not. It appeared that mediation was more attractive to those with higher education levels, higher incomes, and higher occupational status. Findings also indicated that mediation made a difference in the types of custody arrangements agreed upon, in that the mediated couples completed less traditional settlements (Pearson, 1981).

In her study Pearson emphasizes that mediation is not for all families in custody disputes. She advises that it is especially contraindicated for families involving:

alleged abuse or neglect; situations requiring multiple agencies servicing the family; families with a history of repeated court hearings and aborted efforts to resolve the conflict; and families where one or more of the parents is involved in severe anti-social behaviours is violent and exhibits intense psychological problems (p.10).

In the long-term the greatest benefit from mediation is believed to be the reduction in the trauma of the divorce process experienced by the children. However it is evident that the research is still in its preliminary stages, and as Irving states, "what appears to be needed is an exploratory study of conciliation [mediation] counselling with a comparative research design". (Irving et al, 1981, p.47).

In the research completed by Kressel et al, (1980) they report that the post-divorce adjustment was the lowest with



families exhibiting patterns of enmeshment and autistic qualities while families with patterns of disengagement demonstrated higher levels of adjustment. The authors went on to report that families with patterns of enmeshment and autistic qualities were the families least likely to mediate their dispute. In other words, families where the couple remained emotionally attached and socially isolated were unable to mediate.

In recognition of this growing alternative to dispute resolution, and in light of the desire to keep such disputes out of the court system, Ontario's recent Children's Law Reform Act now legislates for divorce mediation services to be offered to couples contesting custody and or access (Children's Law Reform Act Section 31). In recognition of the criteria involved in engaging in a mediation process the court is only able to order mediation if both parties agree to participate in the process. The act further requires the mediator to submit a report outlining the information that is believed to be relevant to the issue of custody as well as indicating the nature of the final agreement reached by the couple. The act also provides for the option of 'closed mediation' where by the mediator files a report to the court that states either the nature of the mediated agreement or indicates no agreement was reached. Although closed mediation was designed to promote a therapeutic system by encouraging openness and trust, critics of the

closed mediation process warn that it may be detrimental to the resolution of the dispute in that it may stall the inevitable need for judicial determination and therefore strengthen the custodial parent's case. Further, there are those who argue that a skillful mediator will encourage openness and trust without needing the protection of closed mediation. They believe mediators who are in favour of closed mediation are in fact hoping to avoid the possibility of having to provide expert testimony.

### Assessment

Clinical assessments are tools used by the court system in order to facilitate a custody or access 'award' that is designed to meet the most commonly held criteria of what is in the best interest of the children involved.

The services of clinicians were first utilized in order to provide the courts with information and opinions that were otherwise unobtainable. Present day assessments for custody cases are based on the premise that when there is more complete information about the child, the parents, and the situation, there is a better determination of what is in the child's best interest. However defining what is meant by 'the best interests of the child' is an arduous task.

Guidelines for completing assessments are numerous and place emphasis on a variety of factors and dynamics. "Beyond the Best Interests of the Child" by Goldstein,

Freud, and Solnit (1973) provided one of the first clinical discussions of the various issues involved in custody and access assessments. The two main values that form the basis of their discussion are; that the child's needs must be paramount even to parental rights and desires; and that the family and individuals have a right to privacy. Goldstein et al also paved the way for discussion and research on such issues as; the psychological parent, the continuity of placement; the understanding of child's sense of time, the overriding rights of the custodial parent; the least detrimental alternative doctrine and the best interests doctrine (Goldstein et al). The authors' primary concern was to ensure that the emotional and physical well being of the child were being met. These authors emphasized the child's need for security was of paramount import, and that the high potential for emotional disturbance as a result of the loss of a parent should not be taken lightly. Although their work has been heavily criticized for its controversial stance, it has nevertheless had a great impact on the child welfare system. Currently most assessments completed address some or all aspects of the criteria developed by Goldstein et al, although the methods for gathering the information necessary for determining what is in the best interest of the child may vary considerably. The Family Group for the Advancement of Psychiatry (1980) criticizes Goldstein, Freud, and Solnit for their allegedly narrow view

of psychological parent. In custody cases it is argued that a child can and often does have more than one psychological parent. They suggest guidelines for examining the question of child custody which incorporates elements such as the child's level of development and degree of attachment to the parents. Included also is an examination of each parent focusing on such areas as the parent's basic mental health status, personal functioning, own childhood, and probable method of future mate selection. An examination of the parent-child relationship is important and includes the parent's ability to listen to the child and to relate to the child in a nurturing fashion. Finally, an evaluation and examination of the parents conjointly is included in order to determine their ability to cooperatively coparent the children both in the present and in the future.

In Ontario the recent Children's Law Reform Act incorporates much of Goldstein et al's criteria and provides guidelines for assessments in custody matters. The assessments are required to be a determination of what is in the best interests of the child. This is defined explicitly to include, the emotional ties between the child and parent, the views and preferences of the child, the length of time the child has lived in the placement, the ability of the petitioners to provide the child with all the necessities of life in our culture, the permanence and stability of the placement, and finally, the blood relationships between

child and petitioner (Children's Law Reform Act Section 24(2)).

Guidelines for assessments, as outlined in the literature, require a method and attitude by the professional that is vastly different from the earlier role played. At one time the human service professional was simply a "hired gun" contracted to do battle with the other side's expert (Haynes, 1981). These more traditional forms of assessment have been criticized for their potential for bias and inaccurate assumptions about families, individuals and behaviour. (Musette, 1981) Present day assessments include aspects of "Beyond the Best Interests of the Child" in attempts to meet legislative guidelines and to serve the child with a family perspective, recognizing that the parents continue to be parents irrelevant of their marital status. The methods for completing such thorough and time consuming evaluations vary considerably and include such models as the one used at the Colorado Children's Diagnostic Center, where an interdisciplinary team take great pains to ensure an unbiased assessment (Jackson, Warner, Hornbein, Nelson, Fortescue, 1980). This model is based on the critical implementation of the guidelines purported by Goldstein et al, and aims at evaluating all the members of the dispute including any extended family members that may influence the custody/placement. Another model is the one used in New Jersey and, as reported in the literature, is a

family centered model where the clinicians attempt to facilitate change in the family system throughout the assessment process (Musetto, 1981).

In light of all the changes in the focus of assessments and methods of administering them, assessments continue to have a place in service to the courts and families in dispute. Awad (1978) argues that assessments provide a valuable service when not only the legislated guidelines are followed but also when, in his opinion, relevant and important issues are addressed and recommendations suggested. Awad argues that although some therapeutic work is possible during the course of an assessment it is not the primary purpose. Assessments should be viewed as a preventative measure where the clinician is neutral, and never pretends to believe that all information can be gathered through one member of the family. Awad stresses that in accordance with other authors, the primary focus and goal is to determine which parent will provide the child with the best opportunity for psychological growth and development (p.442). Therefore obtaining too much information is impossible. The information that is gathered in an assessment is clinical information that is invaluable to the court in determining custody plans for the children involved in contested cases.

### Advisory Arbitration

Many couples in dispute over custody and or access arrangements are able to take advantage of mediation services and resolve their differences, at least to a point where cooperation and coparenting are possible. Other couples and families experience great difficulties in adjusting to the separation and coupled with the previous problems exhibit behaviours and traits that indicate that the children and family are best served with a thorough and unbiased assessment, that can provide direction for the court system. However there remain couples and families who are neither able to fully use mediation nor are they best served through an assessment. These couples possess some of those as of yet unidentified skills and resources that make mediation an alternative. However there may remain an issue or situation that cannot be mediated and the couple must return to court. On a continuum depicting the couples's success in resolving their dispute outside the courtroom a mediated agreement is at one end, assessment services are at the other end and somewhere in the middle lies all the combinations of these two. One such interposing intervention has been termed advisory arbitration and is described as being similar to the arbitration process of negotiation in labour relations. Advisory arbitration can be defined as the intervention where the clinician plays the role of the third party expert giving direction and advice to the couple

when required. The clinician assesses the couple, children and situation and then provides expert opinion in the areas where the couple have reached an impasse. The couple once given direction are then able to either agree with the expert opinions or to reject them.

Coogler (1978) describes the arbitration process as being desirable only as a means of resolving an impasse between the couple and only involves those issues that are relevant to the impasse. Both Coogler and Irving describe arbitration as a procedure involving a third party expert outside the mediation process. Advisory arbitration is also depicted as being less desirable than mediation in that it results in the couple having less control over their own agreement and may in fact put the arbitrator in the role of a judge (Irving, 1980). However, this intervention is described as more desirable than assessment in that it offers the family an escape from the trauma of a contested court trial.

Beyond the pioneering works of Coogler and Irving there is little in the literature that addresses itself to the group of couples who find themselves somewhere in the middle between requiring assessment services and mediation services. Bahr (1981) recognizes the existence of the group requiring arbitration services and the alternative outcomes that can be derived from a combination of services at either end of the spectrum. However at this point there appears to



be virtually no research completed that attempts to describe the characteristics and factors of the couples that are best served by involvement with a third party expert who guides, advises and directs the couple through their attempts to resolve the dispute.

### Conclusion

In conclusion, this chapter has highlighted selected variables from the literature which are related to the three interventions being studied and the factors dealing with parent's and children's post separation and divorce adjustment. The main focus has been on the parental correlations to children's adjustment, in that this study investigates and describes a population of adults engaging in clinical services as a means of resolving a custody and or access dispute. One of the important findings supported in the literature is that children's perceptions of their parent's divorce are greatly influenced by the parent's own reactions and coping abilities and that a child's adjustment is contingent upon the parent's adjustment. Hence the value of assisting parents in conflict can be found in the research dealing with children's post separation and divorce adjustment.

## METHODOLOGY

### Purpose

The use of psychological assessment tools for making recommendations to parties in dispute over custody and access arrangements have been employed within the court system for a considerably longer period of time than have either mediation or advisory arbitration services. Although mediation is a relatively new service to disputing couples, preliminary findings indicate that it is a viable recourse to the court system. Advisory arbitration on the other hand, although practiced, has not apparently been subjected to empirical testing, nor do there appear to have been any comparative studies undertaken which deal with all three interventions.

This study was designed to bring to light some of the variables, factors, and situations which influence the process and direct the outcomes of these three interventions. Therefore this study proposed to develop descriptive profiles of the clients who have employed clinical services to assist them in resolving their custody and access dispute. In order to develop these profiles clients were asked to provide information about their present life situation, their perceptions of their

children's present adjustment, and their perceptions of their own adjustment as coparents. The results of this study were then used to expand on the current knowledge of these interventions by providing a descriptive analysis of each of the three intervention groups.

The population for this study was derived from the client group served by The London Custody and Access Project. The Project is a voluntary association comprised of ten clinicians from a variety of human service disciplines operating under a common administrative umbrella. The members meet together twice per month for case discussion and professional development thus ensuring a consistency of service. There is a fee for this service which is usually split between both parties of the dispute. The cases are assigned on a rotating basis and, wherever possible, matching of a clinician's skills to the client's needs is undertaken by the members. Some of the clinicians work in teams of two, while others service the family singly using their colleagues for consultation and guidance as necessary. This service is unique to the London area in that it provides an interdisciplinary team approach to meeting the communities need for a custody and access dispute resolution service.

### Research Questions

1. Are there differences between the three client groups related to such factors as; socioeconomic status, sex of the custodial parent, the coparental relationships, the availability of the noncustodial parent, the parent and child communications, and the parents' satisfaction with custody and access arrangements?
2. What are the parents' views about their post separation divorce adjustment?
3. What are the parents' views about their children's post separation and divorce adjustment?
4. Are there any differences in the parents' views about their children's adjustment and their own adjustment according to the intervention received?

### Operational Definitions

For the purpose of this study, the following operational definitions were derived from both the literature and the from definitions held common by the clinicians in the Project.

Mediation. Mediation was operationally defined as the intervention whereby the couple negotiate and make mutual decisions regarding their children. The therapist remains neutral and assists the couple throughout this process in such ways as, helping to clarify the relevant issues,

clarify communication and clarify the alternatives for resolution of their conflicts. This intervention was evaluated using the therapist's rating scale developed by the London Custody and Access Project.

Advisory Arbitration. Advisory arbitration was defined as the process whereby the therapist acts as the third party expert, giving advice and directing the couple through the process of conflict resolution. The therapist after assessing the couple and their situation, makes recommendations regarding custody and access. The final agreement reached is not necessarily equally endorsed by both parties, but represents the expert opinions of the clinician as much as it reflects any mutual decisions jointly agreed on by the couple. This intervention is more directed by the clinician than is the mediation process. Concomitantly the couple engage in a higher level of participation than they would if they were involved in a clinical assessment process exclusively.

Assessment. Assessment, was defined as a description given of the facts of the situation. Clinical judgment highlighting the strengths and weaknesses of the couple and including clinical recommendations providing for the best interests of the child are submitted in the form of a report to the court. The couple engaged in this form of intervention are characterized by having a high level of conflict, the inability of one member or both partners to

terminate the relationship, low self-esteem, and an inability to be child focused and future oriented. Once again the therapist's rating scale was used to collect data which evaluated this variable.

Social Supports. The variable of social support used in the questionnaire of this study was defined as; the persons whom the respondent indicated they had received help from during the separation. During the interviews the variable was expanded to include the persons that the respondent felt they could turn to and depend on for emotional support at a time of crisis.

Custodial and Noncustodial Parent. The concepts of the custodial and noncustodial parent used in this study are based on the legal definition and common usage of the concepts. Custodial parent is the natural parent who has legal guardianship of the children. The noncustodial parent is the natural parent that does not have legal guardianship rights.

The concept of availability of the noncustodial parent was defined as a construct based on the noncustodial parent's outings with the children.

Adjustment. For the purposes of this study, both children's and adult's post separation and divorce adjustment are constructs of concepts derived from the literature dealing with post separation and divorce adjustment.

Children's Post Separation and Divorce Adjustment. The key variables found to be significant for both positive and negative adjustment were coded and summed resulting in a child adjustment score. These were the parent's responses about the children's school performance, relationships with others, and behavioural problems.

Adult Post Separation and Divorce Adjustment. Variables dealing with parent's views about their own adjustment were also coded and summed culminating in an adult adjustment score. These variables were; physical health, financial situation, relationship with their children and with others, and their career or employment situation.

Coparental Relationship. The coparent relationship is a construct developed from variables derived from the literature that are indicators of the state and the nature of the post separation relationship between the parents. The variables that are included are; the parents' ability to talk together about child-related issues, the degree of agreement when discussing child-related issues, the degree of agreement when arranging access visits, and the level of satisfaction with custody and access.

Views. This study, in exploring the parent's views about their own post separation adjustment and their children's post separation adjustment, focused on the concept of views rather than on gathering objective data on

the children's adjustment from sources outside the family system. Views are defined as opinions and what seems to one to probably be true.

### Assumptions

1. It was assumed, for the purposes of this study, that assessment, advisory arbitration and mediation are intervention methods.
2. It was further assumed that although differences in personalities and abilities of the therapists may vary the intervention style, this did not significantly influence the quality or outcome of the intervention.
3. Closely related to this was the assumption that because the clinicians of the Project have built this service on a team approach, they had maintained standard definitions of the three intervention processes, regardless of their own professional discipline, when the therapist rating scales were completed.
4. Based on the definitions derived from the literature and the clinical experiences of the professionals of the London Custody and Access Project, it was assumed that the three intervention processes of mediation, advisory arbitration, and assessment existed along a continuum of services available to couples who have



separated and need assistance in restructuring their family.

### Design

This study was a cross-sectional case study following the hypothetical-developmental design conceptualized by Tripodi (Grinnell ed., 1981, p.199). A hypothetical-developmental design seeks to "describe social phenomena in a qualitative manner for the purpose of developing general concepts into more specific measurable variables or generating more specific research questions or hypothesis" (Grinnell ed., 1981, p.199).

As the data available to the researchers prior to implementation of this study did not offer reliable and complete pretest measures for all cases only outcome data was utilized.

### Population

The population consisted of the clients served by the London Custody and Access Project from September 1, 1980 to October 1, 1982. This involved 92 cases, therefore due to the manageable numbers, the entire population was utilized. Each parent was to be surveyed resulting in one hundred and eighty-four observational units however only 140 were located and mailed a questionnaire. The population was categorized into the three interventions of mediation,

advisory arbitration and assessment as rated by the therapist in the retrospective clinician's rating scale. Of the 184 potential respondents, 64 (35%) were from the assessment group, 72 (39%) were from the arbitration group and 48 (26%) were from the mediation group. Of those who responded 21 (30%) were from the assessment group 30 (43%) from the arbitration group and 18 (26%) from the mediation group. Therefore 32% of the assessment group, 42% of the arbitration group, and 38% of the mediation group responded to the questionnaire.

Of the 69 respondents 48 (70%) indicated a willingness to participate in the interview. Of the respondents who volunteered 12 (25%) were from the assessed group, 24 (50%) were from the advisory arbitration group and 12 were from the mediated group. The 12 assessed respondents who were willing to be interviewed were 57% of the respondents who were mediated. The 24 arbitrated respondents who were interviewed were 80% of the advisory arbitration group who responded. The 12 mediated respondents who were willing to participate in the interview were 66% of the respondents who completed the questionnaire.

Twenty-five of the 48 potential interviewees were able to be interviewed. Four (15%) of the interviewed respondents were from the assessment group, while 12 (44%) were from the arbitrated group and nine (36%) were from the mediated group.

Of the twenty-three respondents who were not interviewed five had residences a long distance away and could not attend the interview, the researchers were not able to reach ten of the respondents by telephone or letter, four were not scheduled due to their busy timetables, three were scheduled for an interview but were unable to attend, and three of the respondents' situations were found to be inappropriate for including as data in this study because the respondent was not a parent, and therefore were not included.

### The Instruments

#### Therapist Rating Scale.

The therapist's rating scale developed by the London Custody and Access Project was employed to identify the type of intervention the clinician engaged in with each couple. The variables rated in this instrument were the variables suggested in the literature to influence the intervention process. This included variables such as the clinician's role and level of activity, as well as the couple's level of activity. The scale was based on the concept of these variables existing along a continuum. On the one end of the continuum lies mediation where the clinician's role was relatively passive and the couple's involvement was high. The couple directed and completed their own custody and access agreement while the therapist remained neutral in

terms of any decision making. On the other end of the continuum was assessment, where both the clinician's and the couple's activity level was reversed.

The reliability of this scale was tested by having clinician's who worked conjointly with a family fill out separate ratings. Reliability refers to "the extent to which independent administrations of the same instrument (or highly similar instruments) consistently yield the same (or similar) results under comparable conditions" (Grinnell ed., 1981, p.121). It was found that clinician's agreed 66% of the time.

#### The Questionnaire.

The three client groups were surveyed using a questionnaire based on variables derived from the literature. In reviewing the literature, the researchers chose to focus on the following demographic variables: sex, income level and custodial status as they were noted in the literature to be necessary for a descriptive analysis. The conflict level and degrees of hostility between the parents were variables deemed influential to the adjustment of children and the couple's amenability to mediation (Hetherington, Cox and Cox, 1977; Lamb; Kurdek; Spanier and Casto; Wallerstein and Kelly). Coparental communication was also a variable tested (Anthony; Jacobson; Hetherington, 1979; Hess and Camara; Rosen; Westman and Cline). Further parents' social support system and their satisfaction with

their present life situation were tested (Albrecht; Luepnitz; Spanier and Casto; White and Blcom).

Interview Schedule. An interview schedule was then developed to expand on the data obtained through the questionnaire. The interview focused on those variables described in the literature as having an effect on post separation and divorce adjustment for both children and parents. The researchers chose to focus on the following variables: how parent and child communications around the separation are related to the child's adjustment (Caplan; Jacobson; Rosen), the state and nature of the coparent relationship and its affect on both children and adults (Ahrens; Hetherington, 1978; Hess and Camara; Jacobson; Kurdek, et al; Wallerstein and Kelly), the adult's social support system (Luepnitz; White and Blcom; Spanier and Casto) the re-involvement in heterosexual relationships (Luepnitz; Hetherington, et al, 1976; Albrecht; White and Blcom) and the adult's perception of when life became more satisfactory for them following their separation (Albrecht, Hetherington, et al).

In the interview the researchers also chose to examine the durability of the custody and access agreement. Research indicates that the durability of the agreement reached through utilizing a mediation service is a key factor in evaluating the success of the mediation. The literature stresses that the elimination of over involvement

in the court system is a primary objective of mediation (Bahr; Irving, et al; Kressel, et al; Pearson).

The interviewers posed twenty-seven questions in the survey related to the three main areas. Further the respondents were asked to complete a nine point stress scale and a child behaviour checklist. Lastly, the parents were asked to read three statements about possible custody and access dispute intervention processes and to indicate the statement which most closely reflected their perception of their experience with the London Custody and Access Project.

#### Data Collection Method

For the process of collecting the data, the researchers utilized three instruments: a rating scale completed by the therapist, a questionnaire and, an interview schedule.

The therapist rating scale was developed by researchers with the London Custody and Access Project. The instrument had the therapist evaluate various factors influential in determining the intervention couples engaged in. The instrument evaluated such factors as: the communication between the couple, the level of conflict, the mutuality of decisions between the couple, self-esteem of the parents and the level of functioning of the parents at that time.

A self-administered questionnaire was mailed including a return envelope. The questionnaire focused on the

parent's level of satisfaction with their present life situation the parent's perception of their child's adjustment, the parent's present satisfaction with both custody and access arrangements, and the parent's present ability to communicate and make mutual decisions regarding the care and discipline of the children. The questionnaire gathered demographic data such as the parent's present custody status, present occupation, present income level, age, and marital status. The instrument was judged for clarity by the London Custody and Access Project clinicians, and then pretested to ensure that other individuals who were asked to answer the items were able to understand the questions. In an effort to maximize on the response rate care was given to the design and presentation of this questionnaire. A booklet form was selected to promote an unencumbered presentation, and the questionnaire was typeset and printed to give the appearance of a professionally produced document. In attempts to ensure an adequate response rate, the researchers completed a second mailing and made numerous attempts to locate accurate addresses of potential clients. However even with these attempts there remained a number of individuals who were unable to be reached. In the final outcome, one hundred and forty questionnaires were sent with a return of sixty-nine, a response rate of forty-nine percent.

Statistical Procedures. The fixed alternative questions were precoded on 80 variables. The open-ended interview items were post coded and hand calculated. Statistical procedures used were: frequency distributions, measures of central tendency and dispersion for describing and comparing variables, and the Pearson correlation coefficients for measuring associations between variables. The data were analyzed using the Statistical Analysis System (SAS Institute, 1979) on the University of Windsor computer. All the findings were rounded off to the nearest integer.

### Limitations

1. It is unclear as to how the clinicians rated the interventions received by the clients. It appeared that some clinicians rated the intervention by the outcome of their efforts to mediate a couple's dispute while others rated it on the process that was entered into in attempts to mediate.
2. The questionnaire did not survey the sex of the children of the respondents, therefore, the children's adjustment could not be tested for differences by sex. This was an oversight in the survey, and in attempts to compensate for this lack of data a survey of the client's files was completed. The respondents who were interviewed were also surveyed for the sex of their children.



3.

Studies frequently measure children's adjustment to their parents' divorce by self report data from parents. Wallerstein and Kelly (1980) note that parent's perceptions of their children's divorce adjustment may be coloured by their own psychological needs and defenses. Kurlek et al, (1981) compared the levels of children's divorce adjustment derived from children's responses with those of their custodial parents. They found that the children's feelings about the divorce were significantly related to the parents' evaluations of the children's divorce adjustment however assessments of children's adjustment to divorce derived from parents and from children themselves were not equivalent. The researchers speculate that parents coping with divorce may either overlook their child's adjustment difficulties in the course of dealing with their own stress or project their own adjustment problems onto the child (pp.575-576).

Conclusion. This chapter has presented the research questions, the study design and procedure and finally some assumptions and limitations pertinent to this project. The following chapter will report in detail the findings of this study.

## Data Findings

The findings obtained in this study will be presented according to the four research questions posed.

### RESEARCH QUESTION 1:

Are there differences between the three client groups related to such factors as; socioeconomic status, sex of the custodial parent, availability of the noncustodial parent, social activities, and the nature of the post separation or divorce coparental relationship?

The following variables describe the three groups and address the first research question.

### Custody

When the population of 92 couples first began their involvement with the London Custody and Access Project, 58 (63%) of the referred cases were mother custody. Initially 24 (26%) were father custody, two (2%) were joint custody and eight (7%) were split custody.

In the group of 69 respondents 36 (52%) were mother custody, 16 (23%) were father custody, 16 (23%) had joint custody, and eight (11%) practised split custody where each parent retained legal custody of one or more of the children. Three respondents (4%) reported they had children

in the legal custody of someone other than a natural parent. Twenty-six of the respondents (38%) were noncustodial parents.

The distribution of custody by the interventions demonstrated the following pattern. Of the 21 respondents who received an assessment intervention 13 (62%) were mother sole custody, five (24%) were father sole custody, and two (9%) of the respondents were practising split custody with their ex-spouse. One respondent (5%) reported the children were in the legal custody of someone other than the natural parents. There were no joint custody arrangements within the assessed group of respondents. A total of six (29%) were noncustodial parents, five of whom were fathers, and one a mother.

In the group of 18 respondents who had mediated their dispute, seven (38%) were sole mother custody while eight of the respondents (44%) were sole father custody. Two (11%) of the respondents reported joint custody, and one reported split custody. None of the respondents reported that their children were in the custody of someone other than a natural parent. Eight (44%) of the respondents were noncustodial parents, consisting of three mothers and five fathers.

Of the 30 respondents in the arbitration group, 16 (53%) were sole mother custody, three (10%) had sole father custody, and four (13%) had joint custody. Five (17%) of the parents reported a split custody arrangement and two

(7%) reported their children were in the legal care of persons other than a natural parent. There were a total of 12 (40%) noncustodial parents who responded to the survey; 10 were fathers and two were mothers.

### Income

The respondents were asked to indicate the yearly personal income. The surveyed respondents represented the full range of the income levels. Table 1 illustrates the distribution of income by sex.

TABLE 1  
Distribution of Income By Gender

Income Levels (\$)	Female	Male	<sup>a</sup> %
Less than \$5,000	6	2	12%
\$5,000-\$9,999	4	3	10
\$10,000-\$14,999	6	6	17
\$15,000-\$19,999	6	4	15
\$20,000-\$24,999	3	6	13
\$25,000-\$29,999	3	3	8
\$30,000-\$34,999	1	3	6
\$35,000-\$39,999	0	2	3
\$40,000 and over	0	3	4
Missing observations			7

### Note.

<sup>a</sup>

The percentage is calculated for the total number of respondents.

When the respondents were grouped according to the interventions received the assessed group most frequently reported their incomes were in the \$5,000 to \$9,999 range (six, 30%). The second most frequently occurring range for the assessed group was the fourth level where five (25%) reported incomes in that range. The third range and the first range were reported each by three respondents (15%). One respondent (5%) reported an income in the \$20,000 to \$24,999 range and two (10%) reported incomes in the \$40,000 and over range. None of the respondents reported incomes in the mid ranges of \$25,000 to \$39,999.

In the mediated group the most frequently occurring income was in the \$10,000 to \$14,999 range (six, 33%). Three respondents (16%) reported incomes in both the fourth level and in the sixth level. Two respondents (11%) reported incomes in the fifth level while one (6%) reported being in the range of \$30,000 to \$34,999 range.

For the 30 respondents who received advisory arbitration, the incomes reported fell across the full range of levels. The two most frequently occurring ranges were both the middle level and the lowest level. Six (22%) of the respondents reported incomes in the \$20,000 to \$24,999 range while five (19%) reported incomes in the lowest range of less than \$5,000. Three respondents (11%) reported incomes in the third level as well as in the fourth level, sixth level and the seventh level. Two (7%) reported

incomes in the \$35,000 to \$39,999 range while one respondent (3%) indicated an income over \$40,000 and one an income in the lower range of \$5,000 to \$9,999.

### The State of the Coparent Relationship

#### Coparent Relationship Score.

The questionnaire items tested (a) the parent's ability to talk together, (b) the frequency of the parent's agreement when talking about child-related issues, (c) the respondent's satisfaction with custody, and (d) the satisfaction with access. These variables were summed together to develop a coparental relationship score. The maximum score of 23 was possible.

In the arbitration group the highest score reported was 26, while the lowest score indicated was five and the mean score was 15.1 with a standard deviation of 6.5.

The assessed group of respondents reported their highest score was 27. The lowest score reported was five and the mean score was 14.4, with a standard deviation of seven. The mediated group of respondents reported their highest score was 28 and their lowest score was eight, with a mean score of 17.0 and a standard deviation of 7.

#### Correlates to Coparent Relationship Score.

The coparent relationship score was correlated with the parent's satisfaction with custody and their satisfaction with access using the Pearson correlation coefficient.

The parents' satisfaction with custody arrangements was correlated with the coparent relationship score for each intervention group providing significant associations for the advisory arbitration and the assessment groups. The parents' satisfaction with custody in the advisory arbitration group was found to have a positive association at a moderate level,  $r(29) = .420$ ,  $p < .02$ . The association between these two variables for the assessment group was also found to be positive at a moderate level,  $r(21) = .502$ ,  $p < .02$ .

The variable of satisfaction with access was correlated with the coparent relationship score and found to be significant for the three groups. For the advisory arbitration group the association between these variables was found to be positive at a moderate level,  $r(30) = .624$ ,  $p < .0002$ . The relationship in the assessment group was also positive at a moderate level,  $r(21) = .620$ ,  $p < .002$ . The mediated parents' satisfaction with access arrangements was found to have a positive relationship at a low level,  $r(16) = .405$ ,  $p < .05$  with the coparent score.

The following variables were included in the coparent score and are analyzed separately according to the groups and by custodial status.

### Frequency of Discussion Between Parents

For evaluating the existence and extent of a coparental relationship five variables were tested. The first variable investigated the parent's ability to talk with their ex-spouse about the child-related issues of discipline, school, and social activities. Forty-nine (71%) of the respondents indicated that they did not talk with their ex-spouse about discipline of the children, while 17 (25%) stated that they did talk. Three observations had missing data.

Half of the 18 respondents who received mediation services (nine) stated that they did not talk about discipline while eight (44%) indicated that they did. One respondent did not indicate either response (5%).

In the group of 30 respondents who received the arbitration intervention, 23 (77%) indicated they did not talk while six respondents (20%) reported they did talk with their ex-spouse about the discipline of the children.

In the group of assessed respondents 81% (17) indicated that they did not talk with their ex-spouse about the discipline of the children. Three (14%) of the respondents did communicate with their ex-spouse about the discipline of the children.

When questioned about talking with their ex-spouse regarding the children's school, 43 of the 69 respondents (58%) indicated that they did not talk about the children's school. Twenty-six (38%) reported that they did talk with their ex-spouse.



In the assessed group 15 (71%) stated that they did not talk with their ex-spouse about the school issues while four (19%) indicated that they did talk. Two respondents did not complete the question.

In the mediated group of 13 respondents seven (39%) stated they did not talk about school while 10 (56%) indicated that they did.

Of the 30 respondents who arbitrated an agreement 18 (60%) indicated that they could not talk about the children's school with their ex-spouse. Nine (30%) indicated that they did talk.

When asked about their ability to talk with their ex-spouse about the children's social activities, 44 of the 69 parents (64%) reported they could not talk while 23 (33%) stated that they could talk with their ex-spouse. Two observations had missing data.

When the three variables were examined by intervention groups the results illustrated a wide distribution of responses among the groups. Table 2 shows the distribution of these variables by the intervention groups.

When the data is assessed according to custodial status a high majority of the noncustodial parents indicated that they do not discuss with their ex-spouse any of the three child-related issues. The five noncustodial fathers of the assessed group all indicated that they did not talk with their ex-spouse about the children's discipline, school or social activities.

TABLE 2

## Respondent's Ability to Talk with Ex-spouse

	Intervention Group		
	Arbitration n=30	Assessment n=21	Mediation n=18
Talk About Discipline			
Yes	6	3	8
No	23	17	9
Talk About School			
Yes	12	4	10
No	18	15	7
Talk About Social Activities			
Yes	9	4	10
No	21	16	7
Missing data	3	3	2

Of the nine noncustodial fathers in the advisory arbitration group seven (77%) indicated they did not talk about the three areas of child-rearing, while two (22%) indicated that they did.

In the mediated group of five noncustodial fathers, three (60%) indicated that they did talk with their ex-spouse about the three child-related areas. Two (40%) stated that they did not.

The one noncustodial mother in the advisory arbitration group stated that she did not talk with her ex-husband about the children's school, discipline, or social activities. Of the three noncustodial mediated mothers two (66%) did not talk about discipline, and two did talk about the children's school and social activities.

The noncustodial parents whose children had legal custodians other than the natural parents indicated that they generally did not talk about discipline but did talk about school and social activities with the adult caring for the children. The one noncustodial mother indicated that she did not talk about discipline however did talk about school and social activities. The two noncustodial fathers indicated that they did not talk about discipline or social activities, while one or the two respondents did talk about the children's school with the adult caring for their children.

### Frequency of Agreement

The second variable addressed in studying the state of the coparental relationship dealt with the frequency of agreement on matters related to the children's school, discipline and social activities. The 69 respondents were to complete a five-point ordinal scale on the frequency of agreement with their ex-spouse. A one was given for "never agree", a two for "occasionally agree", a three for

"frequently agree" and a four was scored for the "very frequently agree" response.

Of the 69 surveyed respondents 21 (29%) indicated that they never had contact with their ex-spouse in order to discuss either discipline, school, or social activities. Thirteen (19%) of the respondents indicated that they never agreed when discussing the three areas, 14 (20%) stated that they occasionally agreed with their ex-spouse and 13 (19%) frequently agreed while three (4%) indicated that they very frequently agreed with their ex-spouse when discussing the children's discipline, school and social activities. When this variable was investigated according to the three intervention groups the following trends are evident.

Of the 21 respondents in the assessed group eight (42%) reported that they had no contact with their ex-spouse and therefore did not agree about either the discipline of the children, school or social activities. Five (26%) indicated they never agreed three (16%) occasionally agreed two (11%) frequently agreed and one (5%) very frequently agreed about the discipline of the children. When asked about the frequency of agreement over school concerns seven (37%) indicated they never agreed with their ex-spouse, one (5%) stated that they occasionally agreed and the remaining respondents indicated that they frequently (11%) and very frequently (5%) agreed when having discussions around the children's school. In discussing the children's social

activities five respondents (25%) indicated that they never agreed while three (15%) stated that they occasionally agreed, three (15%) frequently agreed, and one (5%) very frequently agreed.

There were different results when the data for the frequency of agreement between the parents were investigated for the mediated group. Table 3 describes this variable for the eighteen mediated respondents.

TABLE 3  
Frequency of Agreement Between Mediated Parents

Frequency of Contacts	Child Care Concern		
	Discipline	School	Social Activities
Do not have Contact	2 (13%)	2 (13%)	2 (13%)
Never Agree	5 (33)	3 (20)	4 (27)
Occasionally Agree	2 (13)	2 (13)	4 (27)
Frequently Agree	5 (33)	7 (47)	4 (27)
Very Frequently Agree	1 (7)	1 (7)	1 (7)
Missing Data	3	3	3
Totals	n=18	n=18	n=18

In the advisory arbitration group one-third indicated that they had no contact with their ex-spouse in order to discuss discipline (33%) school (33%) or social activities (37%). When they did have contact, the respondents indicated a variety of responses for the degrees of agreement. Six (21%) indicated that they never agreed with their ex-spouse about the children's discipline, eight (28%) occasionally agreed, four (14%) frequently agreed and one (3%) very frequently agreed. Three (10%) indicated that they never agreed about the children's school eight (27%) reported that they occasionally agreed, and one (3%) very frequently agreed. Five reported that their ex-spouse and they never agreed about the social activities of their children, eight (27%) occasionally agreed, six (20%) frequently agreed.

#### Frequency of Agreement about Access

The third variable used to investigate the coparent relationship was the frequency of agreement between the parents when making arrangements for visits with the children. The ordinal scale that was used for this variable was scored with a 5-point rating. Where the respondents indicated that they did not have contact with their ex-spouse a zero was scored, a one was scored for a "never agree" response, a two for "occasionally agree", a three for "frequently agree", and a four for "very frequently agree".

Twenty-one (30%) of the 69 respondents noted that they never had contact with their ex-spouse. Four (6%) indicated that they never agreed with their ex-spouse, 21 (30%) occasionally agreed, 16 (23%) frequently agreed and six (7%) very frequently agreed.

In order to understand this variable and any differences that may exist between the three intervention groups the data were analyzed according to the three groups. Table 4 illustrates the distribution of the degrees of agreement between the parents when making arrangements for visits with the children by the intervention group.

TABLE 4

## Frequency of Agreement Between Parents-By Group

Frequency	Intervention Group		
	Arbitration % n=30	Assessment % n=21	Mediation % n=18
Do not have Contact	30%	43%	17%
Never Agree	10	5	0
Occasionally Agree	37	21	29
Frequently Agree	10	21	47
Very Frequently Agree	13	5	6
Missing data			1
Totals	100	100	100

Satisfaction with Custody and Access

Included in this study's investigation of the nature of the respondent's coparental relationship were the two variables of the parent's satisfaction with custody and access arrangements. These two variables were also tested on a 5-point ordinal scale scored from a one for "very dissatisfied" up to a five scored for "very satisfied".



Generally the respondents indicated a full range of satisfaction with custody. Thirteen of the 69 respondents (19%) indicated they were very dissatisfied, 17 (25%) indicated they were dissatisfied, 19 (28%) noted that they were satisfied, while the same number (19) indicated they were very satisfied with custody.

A majority of the noncustodial parents indicated their dissatisfaction with custody. Of the 25 noncustodial parents that responded nine (36%) reported they were very dissatisfied, 13 (46%) were dissatisfied, and four were satisfied, however no one reported that they were very satisfied with custody. Table 5 compares the levels of satisfaction with access by custodial status for both mothers and fathers.

In the group of respondents who received the assessment intervention two (10%) indicated they were very dissatisfied with custody arrangements. Four (19%) reported they were dissatisfied, five (23%) were satisfied and nine (43%) reported that they were very satisfied with custody arrangements.

The responses for the mediated group were fairly evenly distributed among the levels of satisfaction with custody arrangements. Three (17%) indicated they were very dissatisfied, five (23%) were dissatisfied, five (23%) were satisfied, while the same number were very satisfied. When the scale was collapsed forty-four percent of the mediated

TABLE 5

## Levels of Satisfaction with Access by Custodial Status

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Satisfaction Level	Noncustodial		Custodial	
	Mother	Father	Mother	Father
	n n=6	n n=20	n n=26	n n=13

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Very dissatisfied	0	11	2	1
Dissatisfied	5	5	7	3
No particular feelings	0	0	0	0
Satisfied	1	4	14	6
Very Satisfied	0	0	3	3

---

group were dissatisfied with the custody arrangements while more than half (55%) reported being satisfied with the arrangements made.

Generally the 30 arbitrated respondents were dissatisfied with custody arrangements. Seven (24%) reported being very dissatisfied, eight (27%) were dissatisfied. Nine (31%) respondents were satisfied and five (17%) were very satisfied with the present custody arrangements.

The respondents were also asked to rate their satisfaction level with the present access arrangements. Twenty-six noncustodial parents responded to this question.

Eleven (42%) indicated they were very dissatisfied with access arrangements, eight (31%) were dissatisfied and seven (27%) were satisfied. When the scale was collapsed a majority of the noncustodial respondents (19, 73%) reported dissatisfaction with access.

Of the 30 respondents who arbitrated an agreement, 16 (56%) indicated their dissatisfaction with the access arrangements, 13 (43%) indicated some satisfaction with the arrangements, while one (3%) reported being very satisfied. Of the assessed group half of the respondents were dissatisfied with the access arrangements. This included four (19%) who reported being very dissatisfied and seven (33%) dissatisfied. Ten of the respondents (47%) were satisfied which included seven (33%) who reported being satisfied and three (14%) who were very satisfied.

In the mediated group the majority (69%) were satisfied with the access arrangements. Of this majority nine (56%) were satisfied and two (12%) were very satisfied. Two of the respondents reported being very dissatisfied and three (18.7%) were dissatisfied.

#### Correlates to Satisfaction with Custody and Access Arrangements

The variables of satisfaction with custody and access arrangements and the variable of income were correlated together and the Pearson correlation coefficient was completed in order to test the existence of a relationship between the variables.

The levels of satisfaction with custody for the population were correlated with the satisfaction levels of access and were found to have a positive correlation at a moderate level,  $r(66) = .657$ ,  $p = .0001$ . For the assessment group the two variables were correlated and found to have a positive association at a moderate level,  $r(21) = .717$ ,  $p = .001$ . The same variables in the advisory arbitration group were correlated together and found to have a moderate positive correlation,  $r(30) = .666$ ,  $p = .0001$ . Satisfaction with custody in the mediation group was correlated with satisfaction levels of access and found to have a positive association at a moderate level,  $r(18) = .733$ ,  $p = .0001$ .

The income levels of each respondent were correlated with the satisfaction with custody to test the existence of any association. In the advisory arbitration group the correlation tested with a negative association at a low level,  $r(29) = -.335$ ,  $p < .01$ . In the assessed group the association was negligible with a negative correlation. A negligible relationship was also true for the mediated group.

When satisfaction with access was correlated with the respondent's income and was tested for the existence of a relationship all three groups displayed a negligible association only.

The variables were further tested for associations by custodial group and the sex of the respondent. Many of the

correlations proved to have moderate associations however the sample numbers were small and the validity of the tests were questionable. The associations with very small sample numbers are not reported here however correlations that have sample numbers greater than five are reported.

In the assessment group the association between the satisfaction level with custody and satisfaction with access was a moderate association for the custodial mothers.  $r(8) = .526$ ,  $p < .05$ . When these variables were correlated for the noncustodial fathers the associations were found to be positive at a moderate level,  $r(5) = .754$ ,  $p < .05$ .

When the satisfaction with access and the incomes of the custodial fathers in the assessed group were correlated a negative association was found at a moderate level,  $r(5) = -.544$ ,  $p < .05$ . For custodial mothers the association between satisfaction with access and their income was found to have a positive correlation,  $r(8) = .429$ ,  $p < .05$ .

The correlated variables for the mediated group either had insignificant associations or had very low sample numbers.

In the advisory arbitration group the noncustodial father's satisfaction with custody and their income was found to have a negative association at a moderate level  $r(8) = -.669$ ,  $p < .05$ . Similarly the custodial mother's satisfaction with custody had a negative association with income at a moderate level,  $r(7) = -.512$ ,  $p < .05$ .

### Availability of the Noncustodial Parent

The researchers attempted to gain data on the amount of time that the noncustodial parent spends with the children and the amount of time that the custodial parent spends with the children. Parents were asked to indicate the frequency of outings with their children. However, the validity of this item on the survey was questionable. It is recognized that a parent may frequently spend time with their children without participating in specific outings. Therefore the respondents may have indicated frequencies for outings with the children that are not truly reflective of the availability of the noncustodial parent. Table 6 illustrates the data that were obtained from this item by custodial and noncustodial parents in each of the intervention groups.

TABLE 6

## Outings With Children-By Custodial Status and Group

Frequency	Intervention Group					
	Arbitration		Assessment		Mediation	
	a C	b NC	C	NC	C	NC
Twice a week	5	4	6	2	5	2
Once a week	4	5	5	0	1	2
Twice a Month	3	3	1	2	1	3
Once a Month	0	2	0	1	0	1
Twice a Year	1	0	0	2	0	0
Missing data	0	3	1	1	0	3
TOTAL	13	17	13	8	7	11

Note. a b  
C =custodial parent NC =nrcustodial parent

InterviewsRespondent's Rating of the Intervention Outcome.

The respondents were asked to indicate the description of an intervention outcome that most closely approximated the intervention that they felt they had received. Nineteen (76%) of the respondents indicated an intervention

description that was in accord with their clinician. Six (24%) of the respondents reported an intervention contrary to what the clinician had rated.

Data obtained from the interviews were analyzed to investigate further the variables of the four research questions. Following are the data that are pertinent to the first research question.

Number of Years Separated.

The respondents were asked to report the number of years that they had been living separate from their spouse. The average number of years separated for the total group of respondents interviewed was 4.08 years. Table 7 illustrates the mean number of years separated for the intervention groups.

TABLE 7

Mean Number of Years Separated-By Intervention Group

Intervention Group	Mean Years	n
Advisory Arbitration	3.9	12
Assessment	3.6	4
Mediation	4.5	9



### Marital Status.

Ten (40%) of the respondents were divorced at the time of the interview while 15 (60%) were not divorced. Half of the ten divorced respondents who were interviewed were from the advisory arbitration group, three were from the mediated group and two were from the assessed group. The mean years divorced for the respondents was 3.1. The five advisory arbitration respondents had been divorced for an average of 3.6 years, the mean for the mediated respondents was 4.0. The mean divorced years for the two assessed respondents who were divorced at the time of the interview was six months (.51).

### Occupation.

Nineteen of the 25 (76%) parents interviewed were working full time. Of the six who were not working three had been laid off and hoped to return to work soon, one was on workman's compensation, one was on a disability pension and one person had chosen not to work in order to remain at home with her children.

Generally the respondents represented a variety of occupations. Of the 25 respondents five (20%) had occupations in office work or sales, seven (28%) were labourers, 10 (40%) were professionals, and two (8%) were farmers.

In the group of four assessed interviewees one was a labourer, one was a professional, and one person was a

farmer. Of the nine respondents who had mediated their dispute, three (33%) had occupations in office work and sales, two (22%) were labourers, three (33%) were professionals and one was a farmer. Of the 12 respondents in the advisory arbitration group, two (16%) had occupations in office work or sales, four (33%) were labourers, and six (50%) were in professional occupations.

#### Frequency of Court Appearances.

The respondents who were interviewed were asked to indicate how many times they had returned to court to settle aspects of the custody or access dispute since receiving service from the London Custody and Access Project. A total of 19 (76%) of the interviewed respondents reported that they had not returned to court at all. Six (24%) of the respondents reported having returned to court one time or more in order to settle the ongoing custody or access dispute. Table 8 further describes the number of times that a return to court was reported by the three intervention groups.

TABLE 8  
Frequency of Court Appearances-By Group

Intervention Group	Never n=19	Once n=4	Twice n=2
Arbitration	9	2	1
Assessment	2	2	0
Mediation	8	0	1

#### Parent and Child Communications.

Some questions in the interview were focused on evaluating the state and the nature of the parent and child communications. The interviewed respondents were questioned regarding their attempts to provide explanations of the separation to their children. The parents were asked about both the pre-separation and post separation communications with the children. The parents were also asked to describe any questions that the children may have initiated as well as their own attempts to provide a satisfactory explanation to any of the questions.

When asked about their attempts to prepare the children for the impending separation a majority reported that they did not communicate with their children. Twenty (30%) stated that they did not while five (20%) reported that they did. All four of the assessed respondents reported that

they did not talk with their children about the separation. Two (22%) of the mediated group indicated that they had made attempts to prepare their children while seven (77%) had not. Of the advisory arbitration group three (25%) reported making attempts to prepare the children while nine (75%) did not.

When the interviewed parents were asked about the nature of communications between themselves and their children after the separation 12 (48%) indicated that they had talked with their children about the separation. Thirteen (52%) stated that they did not talk with their children or provide any explanations to them.

When the data were assessed according to the intervention received there were differences between the three groups. In the arbitration group five (41%) stated that they did talk with their children about the separation while seven (58%) indicated that they did not. In the assessed group, one (25%) reported that they did make some attempts to explain the separation to the children, and the remaining three did not. In the mediated group six (66%) indicated that they did communicate with their children about the separation after its occurrence while three (33%) did not.

The 25 interviewed parents were asked to describe the questions that their children may have asked them about the separation. The majority of the respondents (15, 60%)

indicated that their children had not questioned them about the separation or about the new structure of their family. Ten (40%) reported they had been questioned by their children.

In the group of 12 who received advisory arbitration nine, (75%) reported that they had not been questioned by their children and three (25%) stated they had been. In the assessed group of four respondents half reported that they had been questioned and half had not been asked questions. In the group of respondents who had mediated their agreement five (55%) stated that they had been questioned by their children, while four (45%) had not been.

When the respondents were asked to describe what they believed their children's perception of the separation was the responses for this item were found to vary a great deal. Table 9 shows the categories and distributions of the parents' responses to this item.

TABLE 3

## Child's Perception of the Separation-By Group

Response	Intervention Group		
	Arbitration n=12	Assessment n=4	Mediation n=9
Do not know	3	0	0
Does not affect the children.	2	0	1
Child believes it was his/her fault	0	0	2
Confused	3	0	2
Relief	1	1	1
Noncustodial parent is to blame	0	1	1
See their father more now than before	2	1	1
Child does not like it	1	1	1

Nature of the Coparent Relationship.

The respondents were requested to expand on the data from the questionnaire regarding the coparental relationship. The questions in the interview were aimed at gaining a more in depth description of the coparental relationship. The respondents were asked questions regarding the nature of the atmosphere in the marital home prior to the separation, the nature of the marital disputes,

the nature of the present relationship with their ex-spouse, and their own emotional response to any contact with their ex-spouse.

When the interviewed respondents were asked to describe the atmosphere in the home before the separation a majority stated that their home was 'tense'. Two-thirds (eight) of the arbitrated parents reported this as did half of the assessed group and half (five, 55%) of the mediated group.

Sixteen percent (four) of the respondents stated that their home had been filled with fighting. This included one respondent from the mediated group and three of the arbitration group. Twelve percent (three) indicated that their home had been silent and cold. Two of these were mediated (22%) and one was an assessed respondent (25%). One mediated (11%) and one assessed (25%) respondent stated that there had been a lack of communication between themselves and their spouse. Only one person described an atmosphere that was positive for them. This person, who was from the advisory arbitration group, explained that at the time he was in a position to do what ever he desired.

The interviewed respondents were requested to describe the form of the marital disagreements. Table 10 shows the description of the marital disagreements under two primary categories of silence and verbal arguments. Categorizing the responses under the two headings of silence and verbal disagreements was possible due to the uniformity of the unprompted responses given by the parents.

TABLE 10

## The Marital Disagreements as Reported in Interviews

Intervention Group	Silence	Verbal
Arbitration	6	4
Assessment	1	3
Mediation	7	2

When asked about any arguments that may have become violent the majority (17, 68%) indicated that there had not been any physical violence. This included all of the mediated respondents and half of the assessed and arbitrated respondents. The remaining 32% (eight) stated that there had been some form of violence which included half of the assessed group (two) and half of the arbitrated group (six). Half of those who did experience violence reported that their children were exposed to the violence while the remaining half did not.

The respondents were asked to describe the relationship that they now have with their ex-spouse. The responses fell into two main categories; the first being that the respondent believed they had a polite and, at times, friendly relationship. This category also included respondents who described having neither negative or positive feelings towards their ex-spouse. This first category included half (six) of the arbitrated group, half



(two) of the assessed respondents, and all (nine) of the mediated group.

In the second category respondents described having a negative relationship with their ex-spouse. This category involved a minority of 32% (eight) and included six from the arbitrated group and two from the assessed group.

When questioned about whether or not they still argue or fight with their ex-spouse 21 (84%) of the 25 interviewed respondents reported that they do not argue or fight with their ex-spouse. The respondents explained this by stating that they now believed that fighting was a waste of everyone's time. This included 10 (83%) from the arbitration group, three (75%) from the assessed group and eight (83%) of the mediated group. The remaining four (16%) respondents reported that they have continued to fight or argue with their ex-spouse. This included two from the advisory arbitration group (17%), and one from both the assessed (25%) and the mediated group (11%).

The interviewed respondents were asked to expand further on the nature of their coparental relationship by describing how they feel when they have contact with their ex-spouse. Table 11 illustrates the emotions that were reported by the respondents from each intervention group.

The respondents were questioned on how changes in access routines were made and how the access visits were arranged. Fourteen (56%) of the parents reported that they

TABLE 11

Distribution of the Emotions when in Contact with Ex-spouse

Emotion Reported	Intervention Group		
	Arbitration %	Assessment %	Mediation %
Want it to end quickly	8%	0	11%
Anger, bitterness	43	75	0
Nervous, anxious	16	0	55
No feelings, it is a necessary task	25	25	33
Has no contact with ex-spouse	8	0	0

were able to be flexible around access. This was often to accomodate for special occassions or situations when parents may have other comritments. Five (41%) in the arbitration group, three in the assessment group and two-thirds (six) of the mediation group reported having flexible arrangements. The respondents reported that often the arrangements were made by the children contacting the parent or upon initiation by one of the parents. However there appeared to be no specific pattern in regards to who most frequently facilitated the access arrangements.

Eleven of the 25 respondents (44%) stated that they strictly followed the court order for determining the access

routine. This number included seven (58%) of the arbitration group, this included one assessed respondent and three from the mediated group.

Another concept that was included in the nature of the coparental relationship was the methods the parents reported they that employed to insure the success of on going access. This item in the interview also evoked a spectrum of responses that were categorized into two general sections. One category included statements that suggested the respondent's efforts were directed exclusively towards the children. The other category included responses that suggested that the parents made efforts to ensure a co-operative working relationship with the ex-spouse. Table 12 illustrates the responses given and the frequencies that these occurred in each intervention group of parents.

The interviewed respondents were asked to indicate what they perceived hindered or stopped a regular routine of access. Nine of the 25 interviewed (36%) stated that 'nothing' hinders or interferes with the access. This involved five (41%) from the advisory arbitration group, and four (44%) from the mediation group. No one from the assessed group indicated that 'nothing' hindered access.

Eight (32%) of the respondents stated that access was especially difficult when there were disagreements between themselves and their ex-spouse and when the ex-spouse was suspicious that the respondent was interfering. This

TABLE 12

## Distribution of Responses for Insuring Access

Response	Intervention Group		
	Arbitration n=12	Assessment n=4	Mediation n=9
<hr/>			
a			
Category #1			
Do things for the children	3	1	0
Do all the driving phone calls, did not move away.	2	0	0
b			
Category #2			
Arrangements made around children's activities.	0	0	2
Have backed off co-operate now	3	1	3
Encourage the visits	1	1	1
Avoid talking with ex-spouse	2	1	0
Talk with ex-spouse	0	0	2
Access not working	1	0	1
<hr/>			
<u>Note.</u>			

a=tasks focused on the children

b=focus on the relationship with the ex-spouse

included three parents from the advisory arbitration group,  
three from the mediated group, and two from the assessment

group. Five respondents reported that access was impossible when their ex-spouse had arguments with the children and the children then refused to attend the visits. This included two from the arbitration group (33%), half (two) of the assessed group and one (11%) mediated parent. Two (8%) parents stated that it was interference from an outside person such as the ex-spouse's parents or a new partner. This involved one from the arbitrated group and one mediated parent.

The final concept of the coparent relationship construct that was investigated in the interviews was the parents' perception of their children's relationship with the other parent. Twenty of the 25 adults interviewed (80%) described the relationship as being positive three (20%) described the relationship as poor or fair, and two (8%) stated that they did not know and could not describe it. Of the parents who described the relationship as positive nine (75%) were from the arbitration group, three (75%) from the assessed group, and seven (78%) were mediated. Of the three respondents who described the relationship as fair to poor, one was an arbitrated parent and two had received mediation.

## RESEARCH QUESTION 2

What are the parent's views about their post separation and divorce adjustment?

### Adult Adjustment of Divorcing Parents Score

The adult adjustment score was comprised of five variables; health, financial situation, relationship with the children, employment or career situation, and relationship with others, all of which were rated on a 3-point scale. Parents were asked to describe their situation as either; not very good (rated as 1), fair (rated as 2), or good (rated as 3). The maximum score which could be obtained was 15. Table 13 shows the mean score for each of the intervention groups.

TABLE 13

Mean Adult Adjustment Scores-By Intervention Group

Intervention Group	n	Mean	S. D.
Advisory Arbitration	30	13.03	1.7
Assessment	21	12.09	2.11
Mediation	18	13.22	1.89

A variable by variable examination of this construct will follow.

Health.

Of the 30 respondents in the advisory arbitration group 25 (83%) described their health as good, four (13%) described their health as fair, and one (3%) described her health as not very good. A further breakdown of this variable indicated that of the 14 female respondents in the arbitration group, 64% (nine) reported their health was good and all of the 15 male respondents described their health as good. Of the five females who reported their health as either fair or not very good, four were custodial parents and one was a legal guardian.

Of the 21 respondents in the assessment group 13 (62%) described their health as good and eight (38%) as fair. Further, of the eight females, five (63%) reported their health as good and three (37%) as fair, while of the thirteen males eight (62%) described their health as good and five (39%) as fair.

Finally, examination of the mediation group revealed that of the six females, five (83%) described their health was good, and one (17%) as fair. In terms of the male respondents in this group 90% (nine) reported their health was good and 10% (one) stated their health was not very good. Overall of the 18 respondents in the mediation group 16 (89%) described their health as good.

### Financial Situation.

Table 14 shows the ratings each group gave when asked to describe their financial situation.

TABLE 14  
Distribution of Financial Situation-By Group

Intervention Group	Financial Situation		
	Good %	Fair %	Not Very Good %
Advisory Arbitration	37%	40%	23%
Assessment	18	50	32
Mediation <sup>a</sup>	35	52	13

<sup>a</sup> Mediation group n=17.

Of the 15 male respondents in the arbitration group five (33%) reported their financial situation as good, eight (53%) as fair and two (13%) as not very good. Of the 14 female respondents, five (36%) reported their financial situation was good, four respondents described their situation as being fair (29%) and five (36%) as not very good.

For the assessment group, the breakdown of the respondents ratings of their financial situation by gender



revealed that of the 13 males two (15%) reported their situation was good, eight (62%) described their situation as fair and three (23%) as not very good. Of the eight females in this group, two (25%) reported their financial situation was good, two (25%) were fair and four (50%) reported their financial situation was not very good.

The mediation group was comprised of six females and 10 males. Of the six females, one (17%) reported a good financial situation, and the remaining five (83%) reported their financial situation was fair. For the males, four (40%) reported their financial situation was good, four (40%) described their situation as fair and two (20%) as poor.

#### Relationship with the Children.

Parents were asked to describe their relationship with their children as being either good, fair, or not very good. Table 15 shows the distribution of these descriptions by the intervention groups.

Of the 14 females in the arbitration group, all described their relationship with their children as being good. Of the 15 males in this group 73% (11) described their relationship with their children as being good. Twenty per cent (3) reported their relationship with their children was fair and one (7%) reported his relationship with his child was not very good.

TABLE 15

## Relationship with Children-By Intervention Group

Intervention Group	Relationship with Children		
	Good %	Fair %	Not Very Good %
Arbitration	87%	10%	3%
Assessment	76	19	5
Mediation	89	11	0

For the assessment group, 78% of the mothers described their relationship with their children as being good, while two (22%) reported it was fair. For the fathers, nine (75%) reported their relationship with their children as good, two (17%) fair, and one (8%) not very good.

Lastly, for the mediation group, all of the mothers reported good relationships with their children, while 90% (nine) of the males reported the same. The one remaining respondent indicated his relationship with his children was fair.

Employment or Career Situation.

Of the total population, 37 (54%) described their employment or career situation as good, 19 (23%) fair, and 11 (16%) described their situation as being not very good. Two observations had missing data.

Of the 30 respondents in the arbitration group, 17 (57%) reported their employment or career situation as good, nine (30%) reported their situation was fair, and three (10%) described their situation as being not very good. One observation is missing data.

In terms of the assessment group nine (43%) indicated their employment or career situation was good, while seven (23%) reported their situation was fair, and five (24%) reported their situation as very good.

For the mediation group, 11 (61%) reported their situation was good, while four (22%) described their situation as fair and two (11%) as not very good. One observation had missing data. A breakdown of this variable by gender is illustrated in Table 16.

TABLE 16  
Employment Situation-By Sex and Group

Intervention Group	Employment or Career Situation					
	Good		Fair		Not Very Good	
	F %	M %	F %	M %	F %	M %
Arbitration	50%	67%	36%	27%	14%	6%
Assessment	45	41	22	42	33	17
Mediation	83	60	17	20	0	20

Note.

F=Females, M=Males

One observation from the mediation group and two from the arbitration group were missing data.

Relationship With Others.

The final variable in the adult adjustment score dealt with the respondent's description of their relationship with others.

Of the 30 respondents in the arbitration group, 27 (90%) reported their relationship with others was good, while two (7%) reported their relationship with others was fair, and one respondent described her relationship with others as not very good.

The assessment group reported 17 good responses (81%), while the remaining four were split between reports of fair (two; 10%) and not very good (two; 10%) relationships with

others. Table 17 illustrates the distribution of this variable by intervention group.

TABLE 17  
Relationship with Others-By Sex and Group

Nature of the Relationship With Others	Intervention Group		
	Arbitration	Assessment	Mediation
	%	%	%
Good			
Females	93%	78%	100%
Males	87%	83%	100%
Fair			
Females	0	0	0
Males	13	0	0
Not Very Good			
Females	7	22	0
Males	0	17	0

Note.

One observation from the arbitration and two from the mediation groups were missing data.

Variables Associated With Adult Adjustment Scores

Adult Adjustment of Divorcing Parents and Income.

The adult adjustment scores and income were positively associated at a high level,  $r(27) = .816$ ,  $p < .01$ . for the arbitration group. These variables were associated at a moderate level,  $r(20) = .638$ ,  $p < .01$ . within the assessment

group, and at a low level,  $r(15) = .345$   $p < .01$ . within the mediation group.

### Adult Adjustment of Divorcing Parents and Coparent Relationship.

The associations between the adult adjustment scores and coparental adjustment scores were negligible for all three intervention groups. Other associations between adult adjustment scores and coparent scores by gender and custody were without useful meaning due to a small sample size and therefore will not be reported on here.

### Social Supports

The next group of variables dealt with respondent's ratings of the helpfulness of certain social supports during the period when they were in dispute over custody and access arrangements. The respondents were asked to rate their responses on the helpfulness of the following persons: parents and relatives, close friends, clergyman, lawyer, and London Custody and Access Project counsellor.

#### Parents and Relatives.

Of the 69 respondents, 18 (26%) reported that parents and relatives were helpful to them during the period when they were in dispute over custody and access arrangements. Of the remaining three-quarters, 13 (19%) reported their parents and relatives were very helpful, the same number (13:19%) who reported their parents and relatives were not helpful to them during this period. Twelve of respondents

(17%) indicated the variable was not applicable to their situation, and 13 (19%) did not respond to this question. Table 18 shows the breakdown of this variable by intervention group.

TABLE 18

## Helpfulness of Parents and Relatives-By Intervention Group

Degrees of Helpfulness	Intervention Group		
	Arbitration %	Assessment %	Mediation %
Very Helpful	20%	24%	11%
Helpful	27	24	28
Not Helpful	3	29	33
Not Applicable	33	10	0
Missing data	17	13	23

A further breakdown of this variable by the respondent's gender, custodial status and intervention group indicates that, for the arbitration group, five (63%) of the eight mother-custody father respondents indicated this question was not applicable to their situation, while two (25%) reported their parents and relatives were very helpful and one (15%) reported his parents and relatives were helpful. Of the seven mothers who had custody, two (29%)

reported their parents were very helpful, four (57%) stated their parents and relatives were helpful and one (14%) mother reported they were not helpful. The three mothers who were in a joint custody situation reported that their parents and relatives were helpful. Of the three respondents (one female and two males) in the father custody group, two found the question was not applicable. The remaining father in this group reported his parents and relatives as very helpful. Table 19 illustrates this variable distribution by gender and custodial status for the assessment group.

Of the father custody mediation respondents, two of the three mothers (67%) reported their parents and relatives as unhelpful and one (33%) reported them as helpful. For the mother custody group two of the five fathers (40%) reported their parents and relatives as unhelpful, one (20%) reported they were helpful. The two mothers in this group did not respond to this question and two (40%) reported this question was not applicable to their situation.



TABLE 19

Helpfulness of Parents and Relatives-For the Assessment Group

Custodial Status and Gender	Degrees of Helpfulness			<sup>a</sup> N/A
	Very Helpful	Helpful	Not Helpful	
	%	%	%	%
Father Custody				
Father	40%	0%	20%	20%
Mother Custody				
Mother	25	38	25	0
Other Custody				
Father	0	50	0	50

Note.

One observation was missing data from the father-custody father group, mother-custody mother group and other-custody other group.

<sup>a</sup>  
N/A=the percentage of respondents who reported the question was not applicable to their situation.

Close Friends.

The respondents were asked to rate how helpful their close friends were to them during the period when they were in dispute over custody and access matters. Table 20 illustrates the respondent's rating of this variable according to the intervention group.

TABLE 20

## Helpfulness of Close Friends by Intervention Group

Degrees of Helpfulness	Intervention Group		
	Arbitration %	Assessment %	Mediation %
Very helpful	17%	19%	22%
Helpful	20	52	23
Unhelpful	10	5	6
Not applicable	30	5	17
Missing Data	23	19	27

Clergyman.

Parents were asked to rate how helpful a clergyman was to them during the period of dispute over custody and or access as either very helpful, helpful, unhelpful or not applicable. Table 21 shows the distribution of this variable by intervention group.

TABLE 21

## Helpfulness of Clergyman-By Intervention Group

Degrees of Helpfulness	Intervention Group		
	Arbitration %	Assessment %	Mediation %
Very Helpful	7%	5%	11%
Helpful	7	10	6
Unhelpful	13	14	6
Not applicable <sup>a</sup>	50	33	39
Missing Data	7	8	7

Note.<sup>a</sup>

Missing data=the number of observations with missing data.

Lawyer.

Of the 30 respondents in the arbitration group, six (20%) reported their lawyer was very helpful, 10 (33%) described their lawyer as helpful, one (3%) respondent reported the lawyer as being unhelpful and five indicated the question was not applicable to their situation. Three observations had missing data.

For the assessment group of 21 respondents eight (38%) reported their lawyer as very helpful, and five (24%) reported their lawyer as helpful, five (24%) reported their lawyer as unhelpful. Three (14%) observations were missing data.

Table 22 shows the distribution of the ratings for this variable within the mediation group.

TABLE 22  
Helpfulness of Lawyers for the Mediation Group

Degrees of Helpfulness	Frequency Distribution %
Very helpful	22%
Helpful	28
Unhelpful	17
Not Applicable	6
Missing Data	27

London Custody and Access Project.

Lastly, respondents were asked to rate the helpfulness of the London Custody and Access Project during the time when they were in dispute over custody and access. Table 23 illustrates the distribution of this variable by intervention group.

TABLE 23

## Helpfulness of London Custody and Access Project by Group

Degrees of Helpfulness	Intervention Group		
	Arbitration %	Assessment %	Mediation %
Very Helpful	43%	33%	28%
Helpful	17	29	39
Unhelpful	20	23	17
Not applicable	7	5	6
Missing Data	13	5	10

Social Activities

The respondents were asked to rate the frequency with which they engaged in the following activities: dating, organized recreation or sports, visiting friends, organized social clubs or groups. Table 24 shows the frequency with which the arbitration group reported participating in these activities.

Of the 21 assessed respondents eight (38%) did not indicate the frequency of their dating pattern and four (19%) responded that they dated once a week. Three (14%) reported dating once a month, as well as three (14%) who reported that they date twice a year. Only one respondent (5%) reported dating twice a week and two (10%) reported dating twice a month.

TABLE 24

## Distribution of Social Activities for the Arbitration Group

Frequency of Involvement	Social Activities			
	Dating %	Sports %	Visiting Friends %	Social Clubs or Groups %
Once a week	20%	23%	30%	13%
Twice a week	23	23	33	7
Twice a month	6	7	10	13
Once a month	3	17	20	17
Twice a year	10	13	3	30
Missing Data	44	17	4	20

One-third (seven) of the respondents indicated they participated in organized recreation or sports twice a year, while six (29%) did not respond to this question. Three (14%) reported participating in recreation or sports once a week, and the same number of respondents (14%) reported they participated in these activities twice a month. Only two respondents (10%) reported being involved in organized recreation or sports twice a week.

Table 25 shows the frequency with which the respondents from the assessed group reported visiting friends.

TABLE 25

## Frequency of Visiting Friends for the Assessment Group

Frequency of Visiting Pattern	Distribution in Percentages %
Once a week	29%
Twice a week	23
Once a month	14
Twice a Month	29
Twice a year	5

Finally, eight of the assessed respondents (33%) reported involvement in organized social clubs or groups at a rate of twice a year or less. Four (19%) reported that they participated in these activities once a month, while three (14%) reported weekly involvement, as well as three (14%) who reported they participated bi-weekly. Only one (5%) respondent reported involvement twice a week, while two (10%) did not answer this question.

The participation in these activities reported by the mediation group is illustrated in Table 26.

TABLE 26

## Frequency of Social Activities for the Mediation Group

Frequency of Involvement	Social Activities			
	Dating %	Sports %	Visiting Friends %	Clubs or Groups %
Once a week	11%	22%	39%	16%
Twice a week	22	17	24	6
Once a month	6	17	6	33
Twice a month	0	11	17	0
Twice a year	6	6	0	0
Missing Data	55	23	14	45

Interviews

The respondents who participated in a personal interview were asked to complete a 9-point ranking scale on adult stresses following separation and divorce. They were also asked four open-ended questions dealing with their post separation and divorce adjustment. The following are the findings dealing with adult adjustment from the interviews.

Adult Stress Scale.

The respondents were given a list of nine items, which may or may not have been a stress to them during the period when they initially separated, and were asked to rank them



from the most stressful down to the least stressful. The nine items were: (1) dealing with an ex-spouse (2) loneliness (3) cooking (4) social stigma (5) cleaning (6) disciplining the children (7) having to work and take care of the children (8) money and (9) feeling totally responsible for the care of the children. Table 27 illustrates the frequency with which items were ranked as either being: most stressful, second most stressful, or third most stressful, for both male and female respondents.

A breakdown of the stress factors by intervention group indicated that the number one stress for all of the males in both the arbitration and assessment groups was dealing with the ex-spouse. The mediation group presented somewhat differently in that five of the seven (71%) male respondents reported dealing with their ex-spouse was most stressful, one (14%) respondent reported loneliness as the number one stress and one (14%) respondent reported feeling totally responsible for the children was the number one stress.

There was a small group of females interviewed (seven in total). The females from both the arbitration and assessment group rated dealing with their ex-spouse as the number one stress. The responses from the mediation group were different for each of the three respondents. One reported having to work and take care of the children was most stressful, one reported disciplining the children was most stressful, and one reported cleaning was most stressful.

TABLE 27

## The Three Highest Adult Stresses-By Gender

Adult Stresses	Degrees of Stress					
	Most Stressful		Second Most Stressful		Third Most Stressful	
	a F %	b M %	F %	M %	F %	M %
Dealing with one's ex-spouse	57%	88%	14%	6%	14%	6%
Loneliness	0	6	14	29	14	6
Cooking	0	0	14	18	0	6
Stigma	0	0	0	12	0	6
Cleaning	14	0	0	6	0	0
Discipline	14	0	29	0	14	0
Care For the Child- ren & Work	14	0	14	0	14	24
Money	0	0	0	6	29	6
Feeling Totally Responsible for the Care of the children	0	6	14	0	6	0
Missing Data	0	0	43	0	0	48

Note.

Some respondents found only one or two items were stressful.

a

F=Females

b

M=Males

In the arbitration group the least stressful items (either ranked as last or second last) reported most often by males were cleaning (17%), social stigma (17%) and loneliness (17%). Half of the females in this group ranked loneliness as either the last, or second last on the stress scale. For the mediation group the least stressful items reported were cooking (25%), having to care for the children and work (17%), and loneliness (17%). One-third of the female respondents in this group reported loneliness was least stressful for them. Of the two males in the assessment group, one reported cooking was least stressful, and the other reported feeling totally responsible for the children's care was least stressful. The only female in this group reported having to work and care for the children as the least stressful item.

### Interview Open-Ended Questions

As previously noted, four questions were posed which expanded further on the information about adult adjustment already gleaned from the survey. Each question will be dealt with here as a separate variable.

#### When Life Became More Satisfying.

Of the 25 respondents interviewed, 16 (64%) reported life became more satisfactory one year or more following their separation, with a mean of 1.5 years being reported. Five (20%) reported their life became more satisfactory

immediately after the separation, while four (16%) reported their life is still not satisfactory. Table 28 shows the distribution of this variable by intervention group.

TABLE 28  
When Life Became More Satisfactory-By Group

Intervention Group	Time Period		
	Immediately %	One Year Plus %	Not Yet %
Arbitration	33%	41%	26%
Assessment	0	100	0
Mediation	12	77	11

The mean number of years for when life became more satisfactory for the arbitration group was 0.85 years, for the mediation group 2.07 years and for the assessment group 1.68 years.

When Dating Began After The Separation.

Nine (36%) of the respondents reported they began dating less than two months after their separation, seven (28%) reported they had not yet begun dating. Four (16%) reported dating six months after their separation and three (12%) reported dating two years after their separation. Two

(37) of the respondents reported dating one year after their separation.

Table 29 illustrates the frequency with which dating commenced for each of the intervention groups.

TABLE 29  
Dating Pattern After Separation-By Group

First began dating after the separation	Intervention Group		
	Arbitration %	Assessment %	Mediation %
Have not dated	33%	50%	12%
Less than 2 months	50	25	22
Six months	17	0	22
One year	0	25	22
Two years plus	0	0	22

The breakdown of the dating pattern by gender reveals that nine (50%) of the males began dating less than two months after their separation while two (29%) of the females did so at this time period. Three (43%) of females were still not dating at the time of the interview compared with four (22%) of the males reporting the same. Three of the men (16%) reported dating six months to one year after the

separation while two (11%) reported dating one year later. Two of the women reported dating six months to over one year (23%) later.

#### Nature of Present Relationships.

Fifteen (60%) of respondents indicated they were presently living in a common-law arrangement with another partner, while nine (36%) reported they were not in a living arrangement with a partner. One person (4%) reported dating in a long-term relationship.

Of the seven women interviewed, three (42%) were in a common-law arrangement, and the other four were not (57%). Of the eighteen men, 11 (89%) were involved in a common-law relationship while two were not (12%).

#### Support System

The respondents were asked to describe their support systems, and to indicate whether or not they changed after their separation. Table 30 shows the distribution of the responses for each of the intervention groups.

Of the 25 respondents, 15 (60%) reported their social supports were the same as before, and 10 (40%) reported they had changed.

This concludes the results of the variables dealing with adult adjustment. The following research question examines the parents' perception of their children post separation and divorce adjustment.

TABLE 30

## Support System for the Interviewees-By Group

	Intervention Group		
	Arbitration %	Assessment %	Mediation %
Family, Parents	31%	0%	23%
New Lover	15	20	8
Friends	23	40	62
Church, Clubs	0	40	8
No One	31	0	0

RESEARCH QUESTION 3

What are the parent's views about their children's post separation and divorce adjustment?

Parents were asked to report on their children's performance in school and their children's relationship with others. They were also asked to indicate whether or not their children exhibited behaviours which they felt were problems. In order to structure this question, a short child behaviour checklist was provided and parents were asked to indicate if any of the behaviours on the list were a problem for their children, as well as to indicate any other problems. Parents were instructed to only report on those children who were 16 years or younger at the time of

the clinical intervention. In an effort to present the results in a meaningful fashion, the children were grouped into three age categories; preschoolers (children aged five and under), school aged (children aged six to 12 years) and adolescents (children aged 13 and over).

Of the total number of children (134) 30 were preschoolers, 85 were school aged and 21 were adolescents. Table 31 illustrates the distribution of the age groupings by the intervention groups.

TABLE 31  
Age Groupings-By Intervention Group

Intervention Group	Age Groupings		
	Preschoolers	School Aged	Adolescent
Arbitration	33%	48%	38%
Assessment	37	25	38
Mediation	30	27	23

The sex of the respondent's children was not an item on the questionnaire however a search in the respondents' clinical files revealed that there were 81 male and 76 female children of the total 92 families in this population.



Of the 25 respondents interviewed there were 20 female children and 22 male children.

The sex of the custodial parent and the ages of all their children were grouped and are illustrated in Table 32. Due to the anonymous nature of this survey, it was not possible to match the data of the respondents from the same family, therefore the responses regarding the children may in fact include descriptions of the same children from both parents.

TABLE 32

## Sex of Custodial Parent and Child Age Groupings-By Groups

Child Age Groupings	Intervention Group		
	Arbitration n	Assessment n	Mediation n
Preschoolers			
a			
MC	8	3	2
b			
FC	0	2	3
c			
OC	2	1	0
d			
JC	0	0	4
School Aged			
MC	22	14	8
FC	6	5	2
OC	3	2	2
JC	5	0	4
Adolescents			
MC	2	2	1
FC	1	0	4
OC	4	6	0
JC	1	0	0

Note.

a

MC=Mother Custody

b

FC=Father Custody

c

OC=Other Custody

d

JC=Joint Custody

The majority of other custody arrangement are split custody

### Child Adjustment Score

This score was derived from the sum of three separate variables. Two of the variables, the parents' reports of the child's school performance and the child's relationship with others, were rated on an ordinal scale of four levels: very well, well, fair, poor (or not applicable for the school performance variable). The third variable dealing with problem behaviours was obtained from asking the parents to indicate whether any of the listed behaviours were a problem for their children. The items on the child behaviour checklist were: unhappy or depressed, cannot concentrate or pay attention, cannot sit still or hyperactive, feels worthless, and withdrawn. There was also room left for indicating any other problems behaviours the children may be exhibiting. The problems were scored in reverse with a six being assigned to a child with no problems, a five to a child with one problem, a four to a child with two problems and so on down to zero for six problems. The maximum score a child could obtain was 14. The preschooler scores were summed without the variable dealing with school performance. The maximum score for the preschooler group was 10. Table 33 illustrates the mean child adjustment score for the three age groupings by the intervention group.

TABLE 33  
Child Adjustment Score by Intervention Group

Intervention Group	Child Age Groupings		
	<sup>a</sup> Preschoolers Mean	<sup>b</sup> School Aged Mean	Adolescents Mean
Arbitration	8.6	10.9	12.4
Assessment	9.0	11.1	11.6
Mediation	8.9	11.5	12.5
Missing observations	5	10	6

Note.

<sup>a</sup>

Maximum score for the preschoolers was 10.

<sup>b</sup>

Maximum score for the school aged and adolescent children was 14.

The variables which comprise the child adjustment score will be dealt with separately in the following three sections.

School Performance.

Of the total number of children (114) reported on, 56 (49%) were rated as doing very well in school, while 27 (24%) were rated as well, 22 (19%) as fair, and nine (8%) as poor. Although some parents reported about their preschoolers school performance, the data were not included in the results. Table 34 shows the distribution of the

children's school performance by age for the arbitration group.

TABLE 34

Children's School Performance for the Arbitration Group-By Age

School Performance	School Aged	Adolescents
Very Well	42%	62%
Well	26	38
Fair	23	0
Poor	5	0
Missing Observations	4	

Note.

Four observations were missing data from the school aged group.

For the assessment group, parents reported six (29%) school aged children were doing very well, six (29%) were doing well, four (19%) were doing fair, and two (10%) were doing poorly in school. Three observations were missing data.

The parents of the mediation group reported 10 (43%) school aged children were doing very well, six (26%) well, six (26%) fair, and one (4%) poorly in school. Table 35 illustrates the distribution of ratings for adolescent children's school performance in the mediation and assessment groups.

TABLE 35  
School Performance for Adolescents-By Group

School Performance	Intervention Group	
	Assessment %	Mediation %
Very Well	12%	40%
Well	0	40
Fair	25	20
Missing Data	60	0

The majority of parents (80%) who rated their children as doing either fair or poor were noncustodial parents.

Children's Relationships With Others.

Of the total child population (134) 55 (40%) children were rated as getting along very well with others, 47 (35%) as well, 16 (12%) as fair, and four (3%) as poor. Fourteen observations (10%) were missing data.

In the arbitration group, of the 10 preschoolers four (40%) were rated as getting along very well with others, two (20%) as well, and two (20%) as fair. Two observations were missing data. Both of the children rated as getting along fairly well with others were given this rating by their noncustodial parent. For the school aged children 17 (42%)

were seen as getting along very well with others, 11 (27%) as well, six (15%) as fair, and two (5%) as poor. Five observations were missing data. Of the eight school aged children rated as doing either fair or poor the majority (90%) were rated as such by their noncustodial parent. Finally, for the adolescents of this group, six (75%) were rated as getting along very well with others, two (25%) as well and none of the respondents rated their adolescent children as having fair or poor relationships with others.

Table 36 illustrates the distribution of the children's relationship with others for the assessment group.

TABLE 36

## Children's Relationship with Others for the Assessment Group

Ratings of Children's Relationships With Others	Age Groupings		
	Preschoolers	School Aged	Adolescents
	%	%	%
Very Well	55%	29%	33%
Well	36	38	25
Fair	0	14	25
Poor	0	5	0
Missing Data	9	14	12

Lastly, for the mediation group, four (44%) of the preschool children were viewed as getting along very well with others, four (44%) as well and one (11%) as fair. For the school aged children six (26%) were rated as getting along very well with others, 13 (57%) as well, two (9%) as fair and one (4%) as poorly. For adolescent group, three (60%) were rated as getting along very well with others and one (20%) as well. Two observations were missing data, one from the school aged group and one from the adolescent group.

#### Children's Behavioural Problems.

The last variable which was used to construct the child adjustment score dealt with children's behavioural problems. A list of behaviours was provided and the respondents were asked to indicate if any of the listed behaviours were a problem for their children. Of the total 30 preschool children parents reported 11 (37%) exhibited behavioural problems, 13 (43%) did not exhibit behavioural problems, and 6 (20%) had other problems listed apart from those on the checklist.

The breakdown of this variable by intervention group reveals that of the 10 preschoolers from the arbitration group six (60%) were described as exhibiting problem behaviours, two (20%) were not and two (20%) exhibited problems not included on the checklist. Of the 11 children in the assessment group, three (27%) were exhibiting



behavioural problems, five (45%) were not and three (27%) exhibited problems not included on the checklist. Finally for the mediation group, two (22%) children exhibited behavioural problems, six (67%) did not and one (11%) exhibited a problem not included on the checklist.

Table 37 illustrates the distribution of problem behaviours listed for the children of the preschool population by intervention group.

TABLE 37  
Preschoolers Behavioural Problems-By Group

Behavioural Problems	Intervention Group		
	Arbitration a n=3	Assessment n=8	Mediation n=5
Unhappy, Depressed	1	2	1
Cannot Concentrate	0	2	0
Can't Sit Still	2	2	3
Feels Worthless	0	1	0
Withdrawn	0	0	1

a  
Number of occurrences.

For the school aged children, the total number of children exhibiting problems was 35 (41%). There were 29 (34%) children not exhibiting problem behaviours, and the remaining 21 (25%) were exhibiting problem behaviours not on the checklist. The most frequently occurring problem behaviour indicated for this group was unhappiness (18%), followed by can't concentrate (12%), hyperactivity (11%), feeling worthless (7%) and being withdrawn (6%). Other sundry problems experienced by the school aged children comprised 26% of the problems reported by this group. Four observations were missing data. Table 38 illustrates this breakdown by intervention group.

In terms of the 'other problems' listed for the school aged group, 13 'other problems' were indicated by the arbitration group, four by the assessment group and five by the mediation group.

Of the total group of adolescents (21) five (24%) exhibited problem behaviours eight (38%) did not and seven (33%) exhibited problems not on the checklist. The most frequently occurring problems in the adolescent group were: unhappiness (14%), can't concentrate (14%), feeling worthless (14%), and withdrawn (14%). One-third of the adolescents were seen as having problems other than those listed. Table 39 illustrates this breakdown by intervention group.

TABLE 38

## School Aged Children's Behavioural Problems-Ey Group

Problem Behaviours	Intervention Group		
	Arbitration a n=25	Assessment n=10	Mediation n=10
Unhappy	10	3	2
Can't Concentrate	4	3	3
Hyperactivity	4	2	3
Feels worthless	4	1	1
Withdrawn	3	1	1

us Note.

a

Number of occurrences

TABLE 39

## Adolescent Behaviour Problems-Ey Intervention Group

Behavioural Problems	Intervention Group		
	Arbitration	Assessment	Mediation
	a n	n	n
Unhappy	1	2	0
Cannot Concentrate	0	3	0
Hyperactivity	0	1	0
Feels Worthless	1	3	0
Withdrawn	0	2	1

Note.

a

Number of occurrences.

Correlates to Child Adjustment Score.

The coparent relationship score was correlated with the child adjustment score using the Pearson correlation coefficient.

The association between coparental relationship scores in the arbitrated group and the preschooler adjustment scores was negligible. This was also true for the adolescent adjustment score. However, the adjustment score for the school aged children was found to have a negative relationship at a moderate level with the coparent relationship score,  $r(8) = -.577$ ,  $p < .05$ .

In the assessed group the preschoolers' adjustment scores and the adolescent adjustment scores were found to have a negligible relationship with the coparent score. The school age adjustment scores were found to be positively associated with the coparent relationship scores at a low level,  $r(18) = .507, p < .05$ .

The scores for the preschoolers in the mediated group were found to have a moderate, negative association with the coparent relationship score,  $r(7) = -.552, p < .05$ . The adolescent adjustment score was also found to be negatively associated at a moderate level  $r(4) = -.551, p < .05$ . The school age score was positively associated with the coparent score but at a low level,  $r(22) = .307, p < .05$ .

#### Data Relating to the Children from the Interviews

The 25 respondents interviewed had a total of 42 children consisting of 20 females and 22 males.. Table 40 illustrates this breakdown by intervention group.

During the personal interviews respondents were asked to describe their children's perception of their marital separation. Of the 25 respondents interviewed three (12%) stated their children were not affected by the separation or divorce (two [3%] were from the arbitration group, one [4%] was from the mediation group). Two respondents (3%) from the mediation group stated their children took the blame themselves for the separation, while three (12%) of the

TABLE 40

## Sex of the Children for those Interviewed-By Group

Intervention Group	Sex of the Child	
	Female	Male
	a n	n
Arbitration	7	10
Assessment	1	6
Mediation	12	6

Note.

a

Number of occurrences

respondents from the arbitration group and two (8%) from the mediation group reported their children were confused about the separation. One (12%) respondent from each of the intervention groups noted their children felt relieved when the parents separated. One (4%) respondent from the mediation group, as well as one (4%) respondent from the assessment group reported that their children were angry about the separation and viewed the noncustodial parent as the 'bad guy'. Two (8%) respondents from the arbitration group and one (12%) each from of the other two groups stated their children see their noncustodial parent (father) now more than they ever did before the separation. One (4%)

respondent from the mediation group and one (4%) respondent from the assessment group stated that their children did not like the separation, and finally three (12%) respondents from the arbitration group reported they did not know what their children's perception was of their marital separation or divorce.

#### Problem Behaviours.

Parents were asked to complete a child behaviour checklist prior to beginning the interview with the researchers. This checklist included 17 behaviours which may or may not be a problem for the respondents' children. Parents were required to rate these behaviours as either: 0=never or no concern, 1=sometimes true, 2=very true. Table 41 illustrates the distribution of problem behaviours as reported by parents. Only the behaviours which were checked off as either sometimes true or very true will be reported on here.

TABLE 41

## Distribution of Problem Behaviours-By Group

Problem Behaviours	Intervention Group					
	Arbitration		Assessment		Mediation	
	a st n	b vt n	st n	vt n	st n	vt n
Temper tantrums	4	0	2	0	2	2
Sadness	2	4	1	3	5	2
Lying	3	1	1	1	5	0
Stealing	1	0	0	1	1	0
Withdrawn	5	1	0	2	2	2
Trouble Making Friends	2	0	1	0	0	1
Eating Problems	2	1	2	1	1	0
Headaches	1	1	0	1	0	0
Sleeping Problems	1	1	1	0	1	0
Fearful	1	0	2	0	0	0
Aggressive	3	0	1	0	1	2
Irritable	1	1	1	0	4	0
Angry	2	1	1	1	1	1
Allergies	0	0	0	0	1	0
Asthma	0	0	0	0	2	1
Bedwetting	0	0	0	0	1	0

Note.

a

st =sometimes true

b

vt =very true



#### RESEARCH QUESTION 4

Are there any differences in the parent's views about their children's adjustment and their own adjustment according to the intervention received?

The concepts that are encompassed by the constructs of adult adjustment and children adjustment have been analyzed and were illustrated in the previous three research questions. This final question aims to test the association between the two constructs. The constructs were tested within each intervention group using the Pearson correlation coefficient.

In the advisory arbitration group the preschoolers adjustment score was correlated with the adult adjustment score and tested at a moderate association,  $r(8) = .466$ ,  $p < .05$ . The correlation for the school aged children was found to also have a positive moderate association,  $r(35) = .492$ ,  $p < .001$ . For the adolescent adjustment score the association was found to be negligible.

In the assessment group, the preschool children's adjustment scores were found to have a positive moderate association  $r(10) = .487$ ,  $p < .05$ . For the school age group the correlation was found to have a positive association at a moderate level,  $r(18) = .762$ ,  $p < .01$ . The adolescent adjustment score were found to have a small sample number, therefore the test may not be valid and are not reported on here.

In the mediated group the preschoolers were found to have a negligible association, as was the school age group scores. A high association was found for the adolescent children's scores and the adult adjustment scores however the low sample number may make the measure meaningless,  $r(4) = .924, p < .05$ .

### Conclusion

This chapter has presented the findings of this research project in relation to the four research questions that were posed. The data were obtained from two primary sources; the survey questionnaire and the open-ended interview schedule. The variables investigated were tested for differences and similarities between the three interventions of advisory arbitration, assessment, and mediation.

The variables were statistically tested for the distribution of frequencies and tests of association were completed between variables.

## ANALYSIS OF FINDINGS

This chapter focuses on the data presented in the previous chapter and discusses the findings according to the variables in the four research questions.

### RESEARCH QUESTION 1

Are there differences between the three client groups related to such factors as; socioeconomic status, sex of the custodial parent, the coparental relationships, the availability of the noncustodial parent, the parent and child communications, and the parents' satisfaction with custody and access arrangements?

Custody. This variable was analyzed according to the three intervention groups and the custodial status of the respondents. In the analysis there were some differences between the groups that are noteworthy.

The advisory arbitration group demonstrated a combination of the all custody types that are available. This group tended, most frequently, to have sole mother custody arrangements, however they also practised father custody, split custody, joint custody. This group also included parents who had children in the legal custody of someone other than natural parents.

The assessed group showed more traditional custody arrangements with the mother retaining custody most

frequently. Contrary to the arbitrated group, the parents in this group did not participate in custody arrangements such as joint custody or sole father custody.

The mediated group displayed a varied and nontraditional use of custody, even being somewhat radical in the majority's participation in sole father custody. Further this intervention group practised not only mother custody but also split and joint custody. Studies in the literature give evidence to this trend and point out that mediated agreements, where the parents direct their own agreement, tend to be less traditional than nonmediated agreements.

This difference between the three groups may be attributed to the nature of the intervention process itself in that couples who require assessment services are minimally involved in the decision making process and in the planning of their custody arrangements. The very nature of an assessment requires that couples are more passive while clinicians actively employ their clinical skills to determine the custody arrangement that will best serve the needs of the children in the family.

The court system which obtains the assistance of the human service field, recognizes its inability to make custody and access orders that are tailored to fit the needs of each unique situation. This is especially true when there is an atmosphere of antagonism and hostility between

the couple and a 'winner takes all' attitude prevailed. Therefore, the court system most frequently provides more traditional and less flexible custody and access orders. The mediated respondents from this study appear to be demonstrating that when parents are able to direct their own arrangements the preferred choice was to participate in arrangements that are non traditional.

### Economic Level and Occupation

The advisory arbitration group reported the highest incomes in the population. The mean income for this group fell into a modest middle range. The majority of these respondents reported having professional occupations.

The assessment group of respondents tended to be employed in a wide spectrum of occupations. These respondents reported incomes that were dispersed among the first four income levels, however generally had incomes in the lowest categories. On an average the incomes fell in the \$10,000 to under \$15,000 income bracket. Thus this group can be described as having the lowest incomes of the three groups.

The most frequent income range that was indicated for the mediation group was between \$10,000 to \$14,999. Half of the respondents had incomes in this and the next range of \$15,000 to \$19,999. Therefore, the mediated group can be described as having incomes that fell in the lower range of

the middle income bracket. The majority of the respondents in this group also tended to have occupations in office work and sales.

It is interesting to note that the advisory arbitration group did not fall in the middle of the continuum between assessment and mediation on this variable. It may be speculated that the continuum concept is applicable only to describing the process of the intervention and not the couples who require that type of intervention. Couples who choose to arbitrate an agreement to end their dispute are couples who economically could venture the costs of a custody battle in court yet they prefer to abstain from the court process and prefer the expert advice from a clinician.

### Coparent Relationship

One of the prime objectives of mediation services is to assist separated or divorced couples in achieving a coparental relationship regardless of their personal conflicts. This requires that the parents endeavour to maintain a nonconflictual relationship while they continue to parent their children and plan for their future.

The mean coparent relationship scores for the three groups differ somewhat. The assessed group had a mean coparental score that was the lowest of the three groups, while the arbitrated group had a mean score that was slightly higher and the mediated group had a mean score that

was the highest. The highest coparent relationship scores were within the mediation group and the lowest scores were within the assessed group. The arbitration group tended to fall in the middle between the assessment and mediation group. Although no one group came close to the maximum score within the groups, some individuals did experience a positive coparental relationship with their ex-spouse, particularly those within the mediated group. Thus in conclusion it appears that mediated couples were best able to develop and maintain a positive coparental relationship.

However, the data also illustrates the magnitude of the difficulties confronted by separated parents in their attempts to continue to communicate and coparent; tasks which they found difficult to perform as married parents let alone as separated parents. It appears that while the coparental relationship is the best alternative for the children, it is extremely difficult for the adults involved.

#### Parents Ability to Talk and Agree on Child Issues.

The assessment group generally indicated that they do not have contact with their ex-spouse and therefore do not talk about either discipline of the children, the children's school or social activities. The minority of those who did have contact indicated that they were not able to share information about the children, nor were they able to agree on child-related concerns. In fact, the majority of respondents tended never to agree with their ex-spouse about

even areas such as the children's progress in school or their activities. It can be concluded that an effective coparental relationship does not exist for most of the respondents in this group.

A majority of the mediated group of respondents reported an existing coparental relationship. The parents interacted around areas such as the children's social activities and school. However half were unable to talk nor agree on issues of discipline for the children. The data indicates that the mediated couples have a coparental relationship which allows them to discuss some of the issues that are involved in rearing children, however this relationship is not without its share of disagreements.

The advisory arbitration group also demonstrated a lack of an effective coparental relationship. The majority of respondents either indicated that they did not talk with their ex-spouse or that they were not in contact. However when these couples did have contact the majority indicated tendencies to 'occasionally agree' with their ex-spouse. Although the respondents in this group did not report a high level of contact or agreement with their ex-spouse, the level was higher than what was reported for the assessment group. They also tended to agree more often than did the assessed group of respondents.

When the data was collapsed and investigated according to the existence of any contact and the existence of a level



of agreement between the ex-spouses the arbitrated group reported that 70% (21) did have some form of contact with the ex-spouse and that 60% (18) agreed at some level. The assessed group of parents indicated that they had contact slightly more than half of the time (12, 57%) and that they had agreement 52% (11) of the time. The mediated group reported the highest frequency of both contact and agreement with 78% (14) having contact and 78% agreeing with the ex-spouse at some level about the child-related issues.

The data obtained in this study is fairly similar to the study completed by Ahron (1981) where 54 couples were studied and 66% were found to be able to discuss child-related issues. It is interesting to note that the mediated couples in this study reported a higher occurrence of agreement than did those respondent in Ahron's (1980) study. The differences found between the two studies are especially unexpected when one takes into account the fact that all of the couples in this study were at one point in dispute over parenting issues to the extent that they required professional services to assist them in a resolution.

The parents in Ahron's research also reported that they were best able to coparent when they were required to deal with the major decisions and that day-to-day discussions were less frequent and less successful.

### Visiting Arrangements.

The assessment group respondents most frequently reported not having contact with their ex-spouse. When they did have contact they 'occasionally agree or frequently agreed' about the access arrangements.

The majority of the respondents from the mediated group reported that they agreed when planning access visits with their ex-spouse.

The majority of respondents from the advisory arbitration group agreed at some level when making visiting arrangements, yet a significant minority indicated that they do not have contact with their ex-spouse.

The data indicate that the mediated couples were more likely to be able to agree on visiting arrangements and to plan for the scheduling of the visits. The arbitrated group were also either able to agree when arranging the visits or to avoid contacting their ex-spouse around this issue. The assessed group were least likely to have contact with their ex-spouse or to agree on visiting arrangements. It can be speculated that making plans for visits continue to be difficult and troublesome for the assessed group.

### Satisfaction with custody and with access.

The advisory arbitration group tended to be dissatisfied with custody and with access. This was particularly true for the noncustodial parents where the majority indicated dissatisfaction with both. The custodial parents tended to be satisfied with both custody and access.

The assessed group reported being satisfied with custody but at a bare margin above those who reported being dissatisfied. Generally, this group reported being dissatisfied with access. The noncustodial parents in this group were dissatisfied with both custody and access.

The mediated group most frequently reported being satisfied with both the custody and with access. This remained true for both the custodial and the noncustodial respondents.

The mediated group appeared to be more satisfied with the present state of the custody and access arrangements irrelevaent of their custodial status, the arbitrated group were the least satisfied, while the assessed group were divided in their satisfaction with the present arrangements.

This data when included with the other variables related to the coparental relationship suggests that couples who participate in the decision making and the planning of their custody and access agreements are couples who continue to participate and plan together. There is also evidence to suggest that the couples who were in control of the planning during the initial stages, and agreed on less traditional custody and access arrangements, are also more likely to be satisfied later.

Several authors have argued that the 'tender years' doctrine is based on a physiological concept of motherhood rather than on the factors related to the needs of the

children. In his study, Lamb (1977), found little evidence to validate the assumption that custody should always be awarded to the mother. The data from this study further supports this challenge in that those couples who opted for less orthodox custody arrangements tended to be more satisfied with the final product.

#### Outings With The Children.

The assessment group indicated that the majority of the parents have outings with their children frequently, and the arbitrated group also indicated the same frequency. This was also true for the mediated group. The custodial parents in all three groups indicated that they had outings with their children more frequently than did the noncustodial parents. The noncustodial parents in the advisory arbitration group indicated they had outings with their children the most often of the three groups.

It must be emphasized that this item is of questionable validity as the noncustodial parents may have had contact with their children on a regular basis but not consider them 'outings' per se. What is of interest however is that although the majority of respondents in the assessed and arbitrated group stated that they did not have contact with their ex-spouse, did not agree with the ex-spouse when making visiting arrangements, and were generally not satisfied with the present state of custody and access, these parents continued to have outings with their children

despite the parental differences. The studies by Wallerstein and Kelly suggest that the noncustodial parents tend to decrease contact with their children after the first year of the divorce or separation. This appears to not be true for the respondents in this study. It may be speculated that this is related to the very nature of this population in that every person had invested energy and monies into securing rights to their children and they were not about to abdicate these rights.

### Interviews

#### Overview.

It was a serendipitous discovery to have such a high majority of respondents who indicated their willingness to be interviewed. It was also surprising to find that the group who volunteered was a homogeneous group, with equal representation from the three interventions.

It is unfortunate that everyone who volunteered could not be interviewed because each person who was interviewed contributed greatly to this research.

#### Number of Years Separated.

The mediated group indicated that they had been separated the longest time, followed by the arbitrated group and lastly, the assessed group of respondents.

The study completed by Irving et al (1981) of mediated couples suggested that a factor in determining the couple's amenability to mediation was the couple's ability to achieve an emotional separation.

#### Marital Status.

Less than half of the respondents were divorced even though a high majority had exceeded the three year separation period required by Ontario law for obtaining a no fault divorce. There was a fairly even distribution among the three groups. It is interesting to note that a high number of couples had not in fact legally terminated their marriage even though they had been involved, at some level, with the legal system.

Occupation. Due to small number of respondents interviewed from the assessed an adequate profile of the occupations was not possible. In the arbitrated group the majority were employed in professional occupations. The mediation group most frequently had occupations in office and sales work.

Frequency of Court Appearances. A significant majority of all respondents had not returned to court after receiving services from the London Custody and Access Project. This was especially true for the mediated respondents and least true for the assessed respondents.

The literature states that one of the goals of mediation is to eliminate recidivism. This data was in

keeping with the goal outlined in that almost all of the mediated couples had not returned to court.

It is also of interest that even for couples who were not able to mediate their dispute there was a high occurrence of nonrecidivism. It could then be speculated that it is the process and not the outcome of the dispute that affects the couple. If this is true then it is important that the process and not the outcome be the focus of the interventions.

#### Parent and Child Communications-

It is important to note that some of the parents reported that their children were infants at the time of the separation and therefore the parents did not discuss the separation with them. It is interesting to note that of the parents interviewed many shared that it was extremely difficult for them to discuss this area with their children even though they wished to do so.

The assessed group tended to not talk with their children about the separation either before or after it occurred however half of the children reportedly initiated communications. The mediated group also did not talk to their children about the separation before it occurred, however they did communicate with the children after the separation. Further half of the children initiated the communication by asking questions. In the advisory arbitration group the respondents reported that they tended

to not explain the separation before or after it occurred and that the children did not make inquiries.

It is of concern that a majority of parents did not talk with their children about the separation. It is also of concern to find the majority of the children did not ask. Caplan (1961) in his study suggests that open discussion of the realities and the feelings can be helpful before a loss. Further, repeated discussions of the changes and the feelings that are brought on by such a loss are associated with positive adjustment for children and adults. In light of this it appears that the parents of all the groups require assistance in communicating with their children. The third part of the study by Jacobson (1978) indicated the importance of parent-child communications. However Jacobson also found few parents who were able to successfully facilitate such communications and few who had prepared their children for the impending separation.

#### Nature of the Coparent Relationship.

The majority of respondents in all three intervention groups described the home atmosphere prior to separation as 'tense'. The majority of the assessed group described their marital disputes as being verbal arguments. Half of this group reported physical violence.

The mediated group reported differently in that they described their marital disputes that tended to be characteristically silent. These couples appear to have refrained from engaging in violence.



The arbitrated group described disputes that were often silent as well as those that were verbal displays of anger.

The mediated group all felt that they had polite relationship with their ex-spouse. This was also true for half of the assessed group and for the majority of the arbitrated group. However almost half of the assessed group and the arbitrated reported that they could not relate well with their ex-spouse. Even in light of the difficulties that some couples continue to experience it was interesting to note that these couples have refrained from continuing to fight with each other or to use the legal system as an arena for their past marital disputes.

When people were asked to describe the personal feelings that can be evoked when in contact with their ex-spouse it became a picture vastly different from the previous description. The assessed group reported having the feelings of anger and bitterness towards their ex-spouse. The arbitrated respondents also described feelings of anger and bitterness. The mediated group generally described their feelings as predominantly anxious and nervous.

It can be ascertained from the trends in these variables that the assessed group in particular are not able to resolve the past difficulties with their ex-spouse, and that the mediated group seem slightly more able to do so even though they remain cautious. It is most interesting to

note that although they respondents have some level of discomfort when in contact with their ex-spouse they are able to refrain from relating negatively.

All three groups of respondents most frequently reported being flexible around making access arrangements. The parents in the arbitrated group were least able to be flexible around planning, and the majority needed to strictly follow the court order. There appeared to be no specific pattern as to who usually initiated visiting arrangements. However it did appear that in each family there is one individual who consistently acted as the switchboard for the separated family, making all the access arrangements.

There was also no appreciable difference in how the respondents described the relationship between the children and the other parent.

Generally, it appears that the mediated group of respondents are more able to have a positive coparental relationship. Half of the respondents in the other two groups had been able to relate positively with their ex-spouse. It appears that time is the strongest healer.

This concludes the discussion of the data that was obtained for the first research question. The variables that are related to both adult adjustment and child adjustment will be discussed in the following sections.

## RESEARCH QUESTION 2

What are the parents' views about their post separation and divorce adjustment?

As noted in the review of literature chapter, one theory postulated about divorced adults is that they have to make two separate but over-lapping adjustments, the adjustment to the dissolution of the marriage and the adjustment to the process of re-establishing a new social life (Spanier and Casto, 1979). These adjustments include such tasks as: (1) coping with the legal process, (2) coping with issues related to custody and the children, (3) dealing with and informing the person's social network of the divorce, (4) adjusting to the new income level, (5) coping with a new job or entering the work force, (6) coping with single parenthood, (7) developing a new social network and (8) re-entering the realm of dating. The following section will discuss the variables dealing with adult adjustment in this study beginning with an overview of the adult adjustment score and followed by a variable by variable examination of the concepts constructing the adult adjustment score. This section will conclude with a discussion of the variables associated with the adult adjustment score.

### Adult Adjustment of Divorcing Parents Score.

An overview of the three intervention groups revealed similarities between the mean scores of the mediation and arbitration groups with the mediator group being only very

slightly higher. The mean score for the assessment group was lower than the scores of the other two groups by one point. Although the differences were small, one might speculate that the lower adult adjustment score for the assessment group was reflective of the more passive role these respondents played in determining solutions to the conflicts surrounding the restructuring of their family. As noted in the review of the literature chapter, the group of clients who become involved in an assessment process tend to be characteristically more entrenched in the court system and less likely to be able to negotiate agreements with their ex-spouse. However this is a somewhat preliminary and ambitious statement given that the discrepancies between the adult adjustment scores may be too small to make any such conclusions at this point in time.

#### Health.

Overall, the majority of respondents reported their health was good. The vagueness of this question however did not lend itself to investigating specific health problems and it is not surprising that a large majority responded to this item in the superlative.

It is interesting to note the differences between the female and male responses in each of the intervention groups, particularly the arbitration group. In this group all of the males described their health as good compared to the one-third females who reported their health as being either fair or not very good.

The assessment group described a one-third and two-third split between the females who reported their health as good and those who described it as fair. However, unlike the arbitration group, there were no reports from females of their health not being very good. The males in the assessment group are in contrast to their male counterparts in the arbitration group in that almost two-thirds reported their health as being good, while over one-third reported their health as being fair.

The mediation group closely approximated the arbitration group in that nearly all of the males described their health as being good, as did the females.

#### Financial Situation.

Almost half of the total survey population reported their financial situation was fair, while close to one-third described their situation as being good and nearly one quarter as not very good. Collapsing this scale revealed that three-quarters of the respondents depicted their financial situation as being either fair or good, while almost one-quarter described their situation as not very good.

In terms of a breakdown by gender, for the arbitration group the majority of males reported their financial situation was fair. One-third described their situation as being good and a few stated their situation was not very good. In contrast, reports by the females in this group

were more evenly distributed with over one-third reporting their financial situation was good, slightly over one-quarter indicating a fair financial situation and over one-third describing their situation as not very good. The differences between the female and male respondents descriptions of their financial situation were in accord with other study findings and suggest that females tend to report more difficulties coping financially after a marital separation than do males (Luepnitz, 1982).

Similarly, the males in the assessment group reported the majority of their financial situations were fair, while almost one-quarter described their situation as not very good and a few as good. When comparing the male responses from the two groups it would appear that the assessment group reported a higher percentage of financial situation as not being very good and the arbitration described more favourable financial situations. Of the females in this group the majority reported their financial situation was not very good, with one-quarter reporting their financial situation as being fair and the same percentage reporting their situation as being good.

However for the mediation group, none of the women reported their financial situation as being not very good. The vast majority reported their situation was fair, while the majority of males in this group described their situation as either good or fair.

The differences between the three intervention groups pointed towards the assessed respondents being the least likely to report a good financial situation.

#### Relationship With the Children.

This variable was included in the adult adjustment construct not because it would reveal any specific or detailed information about family relationships or individual dynamics but rather because the researchers surmised that the results would be different for non intact families than would be expected from intact families. Thus including a variable of this nature would hopefully set parameters around what could be hypothesized about the nature of the respondents' ability to relate to their children after their marital separation.

By far, the majority of respondents in all three groups reported having a good relationship with their children. The assessment group included the highest percentage of parents reporting either a fair or not very good relationship with their children. With few exceptions it was the noncustodial parent who described a troubled parent-child relationship. During the interviews these parents discussed their role as being like the amputated parent from a cancerous family situation. Typically their contact with their children was minimal, and in some cases non-existent.

### Employment or Career Situation.

The mediation group reported the highest percentage of respondents who described their employment or career situation as being good, followed by the arbitration group. These descriptions were consistent with the income and occupation statistics for this survey. The assessment group reported the highest percentage of 'not very good' responses while only a small percentage of the arbitration and mediation groups reported the same.

Further breakdown of this variable revealed discrepancies between and within the groups according to gender. One-third of the females in the assessment group reported their employment or career situation was not very good compared with less than half that number in the arbitration group and surprisingly none of the women in the mediation group reporting the same. On the other end of the scale a large majority of the females in the mediation group reported their employment or career situation was good compared with half the arbitration group females and almost half of the assessed females reporting the same.

The males of the three groups presented somewhat differently. Descriptions by the men in both the arbitration and mediation groups were fairly similar with two-thirds of the men in arbitration and close to that percentage in the mediation group describing their employment or career situation as report the same. These



findings were consistent with the occupation and income statistics already reported on.

#### Relationship With Others.

The final variable in the adult adjustment score dealt with the respondents descriptions of their relationships with others. Although the vast majority of respondents from the arbitration and assessment groups reported their relationships with others were good, all the respondents from the mediation group reported the same.

The assessment group reported the largest percentage of responses which indicated their relationships with others were not very good, and of this group the majority were custodial mothers. It might be speculated that descriptions of this nature are reflective of a poorer self-esteem on the part of the respondent and possibly indicate a problem area for assessed clients

#### Variables Associated with the Adult Adjustment Score

##### Adult Adjustment of Divorcing Parents Score and Income.

The adult adjustment scores for the three intervention groups were all positively associated with income, however only one group, those who had engaged in an arbitration process, were associated at a high level. This suggests what some might view as the obvious, that the higher the adult adjustment score the higher the income. Surprisingly though, and contrary to comparative statistics discussed

thus far, there is a stronger association between these variables for the assessed group than there is for the mediated group.

### Support Systems

Six variables examining respondents' rating of certain support systems in their lives will be discussed here.

#### Parents and Relatives.

In the study conducted by Spanier and Casto, it was found that a high majority of respondents described friends and relatives as providing a much needed support system. In this study the ratings given for parents and relatives helpfulness were evenly spread between the three groups, for the most part, with one noteworthy distinction. The percentage of respondents who report their parents and relatives were not helpful to them during their separation was much lower for the arbitration group than it was for either the mediation or assessment groups. However it should be noted the arbitration group reported the highest percentage of 'not applicable' responses. On the whole, a good proportion of the respondents either did not respond to this item, or reported it was not applicable. This might suggest that parent and relatives were not supportive to their children during the separation process. In particular, a majority of noncustodial parents reported that either the question was not applicable to their situation or

that their parents and relatives were not helpful to them. Possibly parents and relatives are more supportive to their children when they have custody. Certainly the grandparents of separating families are in an awkward and difficult position.

### Close Friends.

For the most part the respondents reported their close friends were helpful to them during the period when they were in turmoil over custody and access arrangements. Interestingly enough, although a large percentage of respondents either did not answer this question or reported it was not applicable. The arbitration group reported the highest frequency of friends who were unhelpful, and the assessment group reported the highest percentage of either very helpful or helpful responses.

### Clergyman.

The vast majority of respondents indicated this variable was either not applicable or left the question blank, which might signify that support from clergyman was not sought out by this group.

### Lawyers.

The majority of respondents in each of the three groups indicated their lawyers were either helpful or very helpful. The arbitration and mediation groups were less likely to report their lawyers were unhelpful compared with one-quarter of the assessment group who indicated their lawyer

was not helpful. Considering the lawyer typically plays a more active role in engineering a custody settlement for respondents of the assessed group, these negative reports might be reflective of ratings based on the outcome of the case rather than on the lawyer's part in the process.

London Custody and Access Project.

It would appear from an examination of the data that the majority of respondents found the clinical services either helpful or very helpful. Compared with the other two groups, fewer of the mediation respondents indicated that the Project was unhelpful. Albeit this might be congruent with what is described in the literature regarding the popularity of mediation, certainly it was not an overwhelming majority. As might be expected, a little over one-quarter of the assessment group reported finding the service unhelpful, however it is interesting to note that close to one-quarter of the arbitration group also found the service unhelpful. It would seem that the ratings of this service as 'helpful' approximates the order with which the literature rates their effectiveness.

Surprisingly however, of those who reported the service was not helpful, more than half were custodial parents. This may be indicative of the high proportion of couples who are not disputing custody as much as they are unable to agree on access.

### Interview Responses to Social Support Questions.

The interviewees were asked to report any changes in their social support system as well as to indicate those persons who were a support to them. The majority reported their social support systems were the same after the separation occurred. Of those who indicated a change many cited the loss of friends since separating. It is interesting to note that none of the interviewees from the assessed group indicated their family and relatives were a support to them. Many reported preferring not to involve them in their problems. The majority of this group reported friends or activities with clubs or the church were their strongest social supports. Of those interviewed from the arbitration group, the majority were split between finding parents and relatives a strong support and reporting no one supported them. The clear majority of the mediation group reported their friends were a support.

### Social Activities

Previous research indicates that separated and divorced persons who dated, even if it was only occasionally, experienced less emotional problems than did those who did not date at all (Spanier and Casto, 1979). Further, White and Bloom (1981) concluded that the men who became involved in a heterosexual relationship were better adjusted than those who did not do so. The vast majority of respondents

in this study who reported dating did so on a regular basis. however, there were a considerable number of observations missing data on this variable which must be attributed to an oversight on the part of the researchers in designing the instrument. It is strongly suspected that those who did not respond to this question were involved new long-term or common-law relationships and were not 'dating' per se. This hunch is further supported by reports from the respondents interviewed. A high percentage of this group were involved in either a new long-term or common-law relationship. Further of the twenty-five persons interviewed, a fair number began dating less than two months following their separation. Certainly the males interviewed tended to describe dating patterns which began earlier and were more intense than those described by the females.

A preponderance of respondents from all three groups indicated visiting friends was a frequent social activity for them. Differences between the groups were with the activities of organized recreation, sports and clubs. The arbitration and mediational groups appeared to be more likely to engage in organized sports or to join clubs than were the individuals from the assessment group. This may account for their slightly higher adult adjustment scores.

### Interview Items Dealing With Adult Adjustment of Divorcing Parents

To expand further on the respondents adjustment to the separation and divorce, several specific questions were included in the interview schedule. The literature dealing with adult reactions to a separation or divorce point to a number of stresses which impinge on the individuals adjustment to their new situation. Unlike the respondents in Luepnitz's study (1982) dealing with ones ex-spouse was rated as the most stressful factor in the vast majority of respondents lives. This would suggest that a large percentage of the respondents were still invested in their past marital relationship to some extent. In Luepnitz's study, loneliness for men and coping with changed financial situations for women were overwhelming factors in adult readjustment to divorce. However these stresses were ranked considerably lower in this study. This phenomenon might be more easily explained if these respondents were recently separated. With the average number of years separated being four years, it is difficult to conceive of such difficulties being related to any immediate crisis state.

There are also few appreciable differences in stress factors reported between the groups. Clearly, on the whole this group of respondents can be distinguished from other study respondents in that they find coping with their ex-spouse to be an overwhelmingly stressful task not only preceding and immediately following their marital separation, but also several years later.

The majority of respondents interviewed found their life became more satisfactory one year following their marital separation. This is congruent with theories of crisis states and the restabilization process which occurs after crisis. It is interesting to note that of those who did not realize such a change, the highest percentage were from the mediation group, with none of the assessment respondents reporting their life was 'not yet satisfactory'.

### RESEARCH QUESTION 3

What are the parents' views about their children's post separation and divorce adjustment?

In order to ascertain information about the children's present functioning, parents were asked to report on three areas of their children's functioning, namely, their school performance, their relationship with others and any behaviours which are a problem for their child. Certainly there are limitations to ascertaining information of this nature from only one source, particularly when considering the majority of this population have been through extensive and vigorous examination of their parental roles for custody and access determinations. However, in light of the limitations of only securing parental reports on child functioning, some interesting findings emerged which will follow.



### Demographics of Child Population.

The majority of school aged children were from the arbitration group with slightly over one-quarter coming from the arbitration group, and one-quarter from the assessment group. Of the total group of preschool children, the majority were from the assessment group, followed by the arbitration group. The arbitration and assessment groups were equally represented with adolescents while the mediation group was least represented in this age category.

In terms of the relationship between the sex of the custodial parent and the age of the child, it is interesting to note that the majority of preschool children reside with their mothers, as compared to only a few who live with their fathers. This would suggest that on the whole the parents of this survey settled on more traditional custody arrangements. These findings are also in keeping with those of the general population where it is reported that a large number of custody awards are made in favour of the mother. Further, given that there was a majority of mothers with custody of their preschool children, it would appear that the 'tender years doctrine' continues to be a factor in determining the custody of young children. The arbitration and assessment groups both report this majority, however it should be emphasized that the mediated respondents in this study were far less traditional in their custody arrangements. Almost half of the respondents in this group

reported a joint custody agreement existed or that the father was the custodial parent of preschool children, while not quite one-quarter of the preschoolers resided with their mothers.

In terms of the total number of school aged children, the majority were in the custody of their mothers. For the assessment group, two-thirds reported a mother custody arrangement compared with a little over one-half of the arbitration group. Once again the mediation group presented differently in that just over one-third reported mother having custody of the children while a slightly higher percentage indicated that the father was the custodial parent.

The custody arrangement for the adolescents in all three of the intervention groups included a high percentage of 'other custody' arrangements. Given the vast majority of the other custody group involved split custody agreements, where one parent retained custody of one or more children, one might speculate that the adolescent child was more likely to be the best judge of where to reside.

With regards to any distinctions between the intervention groups, it would appear that those couples who were able to mediate their dispute were less likely to adhere to the doctrine of the 'tender years' and also appeared more versatile in their custody arrangements.

### Child Adjustment Score

The means of the child adjustment scores for all three intervention groups revealed minor differences between one of the age groupings, the adolescents, and negligible differences between the other two. For the mediation group respondents reported adolescent scores only slightly higher than did the arbitration and assessment group. However due to the small number of adolescents in each of the intervention groups any conclusive reporting would be presumptuous.

School Performance. The majority of parents described their children's school performance as "very well", and a small number indicated their children were doing poorly.

It should be noted that several of the noncustodial parents were unable to respond to this and other questionnaire items dealing with their children's progress. As stated earlier these were the parents who went on to describe being cut off from contact with their children.

The arbitration group reported the highest percentage of school aged and adolescent children who were doing very well in school, followed by the mediation group. The assessment group described their child's progress as poor more often than did those from either the arbitration or mediation groups. Further, of those respondents who reported their children were doing either fairly well or poorly in school, the clear majority were noncustodial

parents. This might suggest that noncustodial parents express their care and concern for their children much differently than do custodial parents.

#### Relationship with Others.

Generally parents rated their children's relationship with others in the superlative. By far the majority from all three groups felt their children got along very well with others. Those respondents who were of the opposite view were primarily noncustodial parents.

Surprisingly almost all of the adolescents from the arbitration and mediation groups were seen as having very positive relationships with others although typically adolescence is a time of developmental transitions and emotional turmoils when relationships can be stressed. Possibly parents of these children became more child-focused as a consequence of receiving clinical service and thus their children were reaping the benefits.

In terms of differences between the groups, it would appear that the parents from the assessment group had the highest percentage of children rated as getting along very well with others, followed by parents from the mediation group. The arbitration group had the highest percentage of school aged children rated as getting along very well with others. However the dispersion in reports between and among these groups makes it difficult to speculate on the meaning of these trends.

### Children's Behavioural Problems.

Wallerstein and Kelly (1980) found, in their five year study of separated and divorced families, that the preschoolers in their study exhibited a number of sundry problems including eating disturbances, bedwetting and guilt. These problems were also reported in this study to some degree during the interviews, however the survey respondents indicated the highest occurring problem for their preschoolers was hyperactivity, followed by unhappiness. Further, the assessment group most often reported their preschool children exhibited behavioural problems.

The school aged group in Wallerstein and Kelly's study showed pervasive sadness and depression at a one-year follow-up interview, and also had school difficulties and poor peer relationships. This study's findings concur with these descriptions and further distinguishes the school aged children as presenting as the least well adjusted of the three age groups. Over half of these children exhibited some type of behavioural problem, with the most frequently occurring problem being depression or unhappiness. Further the children from this age group were cited most often in the interviews as displaying a wide spectrum of problem behaviours as well as somatic complaints. The school aged children whose parents arbitrated their dispute were the group most often reported as feeling depressed.

Contrary to the findings of other studies, the adolescent group in this study presented surprisingly well. The most frequently occurring problem among this age group was depression or unhappiness. In terms of differences in reports between the groups, by far, the parents of adolescents from the assessment group reported the highest occurrence of problem behaviours.

This concludes the discussion dealing with children's post separation and divorce adjustment. Generally the children of this study presented well. Those areas which were cited as problems tended to support the findings of other studies dealing with children's adjustment and in particular Wallerstein and Kelly's study results.

#### RESEARCH QUESTION 4

ARE THERE ANY DIFFERENCES IN THE PARENT'S BELIEFS ABOUT THEIR CHILDREN'S ADJUSTMENT AND THEIR OWN ADJUSTMENT ACCORDING TO THE INTERVENTION RECEIVED?

The concepts that were included in the constructs of child adjustment and adult adjustment were correlated. The associations were generally positive but at a low level of association. The moderate associations were within the arbitrated group and the assessed group. A negative high association was found to be for the adolescents in the assessment group. The mediation group had low associations for two groups.

The research completed by Wallerstein and Kelly (1980) and by Kurdek et al (1981) suggested that parents who are well adjusted do not necessarily have children who are also well adjusted. In fact they found a negative correlation between the two adjustment levels. The findings from this research also suggests that the level of the parent's competence in their own life is not necessarily a predictive factor in the child's adjustment.

The constructs of the coparental relationship scores and the child adjustment scores by the children's age groupings were correlated and produced moderate associations to low associations. For the mediated group there was a negative association at a moderate level, as well as for the adolescents of the arbitrated group.

The correlations found in this study suggest that, and in keeping with the findings of studies in the literature, the parent's adjustment is not necessarily a predictive factor in the child's adjustment .

Further it would appear from the negligible associations between the two variables of adult adjustment and the coparental relationship that a mutually exclusive relationship exists whereby one does not necessarily have to be a well adjusted adult to have an effective coparental relationship and visa versa.

## SUMMARY AND RECCMMENDATIONS

### Overview

The divorce rate has risen sharply in recent years generating a population of troubled persons who must adjust to this major crisis in their family life cycle. One of the most arduous tasks for the separating parents is to plan custody and access arrangements for the children at a time when the marital relationship has deteriorated to its lowest point. This task is further complicated when the couple is unable to negotiate the emotional separation necessary for positive post separation and divorce adjustment. The inability to achieve an emotional separation after the physical separation can result in conflicts being propagated to avoid coping with the loss of a spouse. These conflicts can take many forms, however the one which concerned the authors of this study was the dispute over custody and access. This study proposed to describe that population of clients who had engaged clinical services to assist them in resolving their dispute.

In reviewing the literature available in this area of human relations it was apparent that current research has focused primarily on comparing two alternatives to the adversarial system for dispute resolution, namely mediation



and assessment. Mediation is by far the most widely acclaimed of the alternatives and few studies investigate any other alternative form of intervention. Thus the researchers chose to focus this study on not only mediation and assessment services but also on a third alternative, advisory arbitration.

In order to best summarize the differences between the three groups the significant findings from each variable have been assembled into hypothetical profiles and are presented in the following sections. These profiles include the survey and interview data obtained and begin with the hypothetical description of an arbitrated client.

#### The Hypothetical for the Arbitrated Group.

The parents who arbitrate their dispute are characterized by their propensity towards settling on mother custody parents. They do utilize less traditional forms of custody such as joint or split custody, however these situations are more exceptional than are the mother-custody arrangements. In the less frequent cases where a father retains custody, the children are more likely to be of school age (six to 12 years old). The custodial parents of this group tend to report being satisfied with the traditional mother custody arrangements, while the noncustodial parents are characteristically dissatisfied.

These parents typically enjoy modest incomes and are employed in professional services. The males of this group

describe their financial situation as being fair as do the females. Both report the same for their employment or career situations.

These parents tend to report troubled coparental relationships and experience difficulties communicating concerns about their children, particularly in the area of their school progress. Further they do not usually maintain regular contact with each other, yet when they are required to do so (ie. when there are specific plans to negotiate for the children) they report having cordial and nonconflictual encounters, despite the tenuous state of their coparental relationship. The exceptions to this rule characteristically avoid all contact with their ex-spouse and strictly adhere to the terms of the agreement set out either during clinical negotiations or in court. Overall the parents from this group tend to describe themselves as willing to abide by the authority of others, and as such are more likely to settle their disputes on the advice of others with expertise and authority.

The noncustodial parents tend to engage in frequent outings with their children, and report having good relationships with them. Further, although the parents from this group appear responsive to their children, they are less likely to be able to discuss the separation with them either before, during or after it occurs. Concomitantly they report their children do not ask about the separation or the ongoing state of the family relationships.

The parents in this group appear to be well adjusted to their new life situations. The males are more likely to report having good health while the females may describe more somatic complaints. Characteristically these adults see themselves as coping well with the tasks in their new life situation, and report a general feeling of relief or tension reduction.

These adults are more likely to begin dating within the two month period following their separation, and report feeling most satisfied with their life one year after the marital separation. The males of this group tend to become involved in new relationships earlier than do their female counterparts, and typically begin living arrangements with a new partner in a higher proportion than do the females of this group.

The arbitrated adults are more likely to seek out assistance when they experience a problem and typically view these relationships as helpful.

The children of this group are less likely to exhibit behavioural problems. The preschoolers who do experience problem behaviours tend to be hyperactive. The school aged children, in contrast, are more likely to be depressed or unhappy and surprisingly the adolescents of this group present well.

### Hypothetical Profiles for the Assessed Group.

A hypothetical profile of the persons from the assessed group reveals that they are more likely to settle on traditional custody arrangements which are in accordance with the 'tender years' doctrine. Further, this group of parents typically report dissatisfaction with both the custody and access arrangement in their families.

These parents tend to experience functionally poor coparental relationships. There appears to be no clear pattern to the nature of their contacts except that they are polarized, with the majority of parents reporting either cordial relations or very hostile encounters. The parents of this group are more likely to return to court to settle their disputes and tend to engage in lengthy and embittered battles. They are also more prone to difficulties with emotional entanglement in their past marital relationship.

The incomes of this group tend to be low, and the parents usually describe their financial situations as being fair, although they describe their employment or career prospects as good.

The adults of this group perceive themselves as coping fairly well with their new life situation and are more likely to draw on the support of friends when they are experiencing difficulties. They describe themselves as relating well with others yet characteristically report less positively about their relationships with their children.

The assessed noncustodial parents report having frequent contacts with their children.

In terms of their physical health, the male of this group tend to report fair health while the females report their health as being good.

The child population of this group generally present with more behavioural problems, and are less likely to experience success in their school performance and relationship with others. The preschoolers exhibit tendencies towards problems with hyperactivity and poor attention spans. The school age children are more likely to be depressed and unhappy, while the adolescents, surprisingly enough, do not present as having any remarkable problems.

#### Hypothetical Profiles for the Mediated Group.

The profiles for the mediation group present much differently than do those of the assessment group, however they do more closely approximate the arbitration group profiles. Parents who are able to mediate their disputes are more likely to settle on arrangements that are somewhat unorthodox in nature. Typically these parents decide on a wide variety of custodial compositions reflective of a more child-focused base. The likely custodial parent in this group is the father.

The individuals who are able to mediate their dispute are usually to engage in effective coparental relationships

which allow for considerable flexibility in discussing child-related concerns and plans. These parents are more likely to disengage themselves from their past spousal roles much earlier than are their counterparts from the assessed group. They frequently agree when making arrangements for access with the children and are inclined to be satisfied with their custody and access arrangements.

The noncustodial parents of this hypothetical profile frequently enjoy outings with their children and both parents describe their relationship with their children as good.

Characteristically these adults enjoy moderate incomes and report good financial, and employment or career situations. The highest occupation represented in this group is office work or sales.

Further, they are also less likely to report any health problems and indicate finding their lives satisfactory.

Typically these adults are able to effectively engage in new heterosexual relationships, however usually don't begin dating until one after their separation.

The parents of this group and describe having good relationships with others and are generally the best adjusted of all three groups.

The children from this group are likely to exhibit few behavioural problems, and to be prone to questioning their parents about the separation at all phases. It would

appear these children have reaped the benefits of their parents' concern for their best interests.

### Concepts and Questions Arising from this Study

The authors began this study interested in learning more about the characteristics of couples in dispute over custody and access issues. It was believed, at the time, that any differences between these couples would be best highlighted by studying the clients according to the intervention process they had engaged in with the clinician.

All these couples were, if not intensely hostile towards each other, at least involved in an intense conflict. However, some were able to negotiate an agreement while others were not. Preliminary findings would indicate that this ability to negotiate is not necessarily attributable to any specific demographic characteristics, nor can it be a result of personality traits, exclusively. Rather, if one views divorce as a process involving a series of stages, somewhat likened to the stages an adult goes through after losing a spouse by death, then one can conceive of a link between the stages of divorce and the type of dispute resolution process an adult can enter into. For example, individuals who have passed through the denial and depression stages might be helped by an arbitrator to cope with the tasks of the anger phase in order to bargain and come to an acceptance of their new family life.

situation. However the adults who are stuck in the denial phase will not be able to negotiate an agreement until they have resolved the tasks of the other three stages. The families of these adults may be best served by a process employing the assessment procedures.

Therefore it can be concluded that use of differential interventions is of paramount importance when engaging with couples in dispute over custody and access.

It was also determined from information obtained during the interviews and from the survey data that there is a link between the effectiveness of the coparental relationship, the custodial parents' ability to maintain access, and the family's ability to adjust to the separation. It would appear from the data that the noncustodial parent's access to the children is dependent upon the custodial parent's ability to cope with their own contact with the ex-spouse. Certainly it is expected that separated parents will have disagreements regarding the parenting of their children, however some parents described situations which were taken to an extreme, with the noncustodial parent being emotionally and physically cut off from their children. One cannot help but be very concerned for the children of these families who, after already losing one parent, become obsessively loyal and attached to the custodial parent for fear of losing them too. These children can even come to



believe that the noncustodial parent is the 'bad guy' and in many instances will parrot their custodial parent's hostilities towards the other parent. Situations such as this have prompted some authors (Kaslow, 1981) to advocate for custody awards in favour of the parent who is best able to facilitate access, even if this requires the children change residences.

Further, family situations involving dynamics such as this are rarely resolved during custody and access negotiations. Possibly, the most appropriate intervention in these cases is a clinical assessment expressing the clinician's concern for the children. A referral for separation counselling may also prove fruitful as interventions for dispute resolution are never a good substitute for separation or marital counselling.

Overall, the parents from this study who were interviewed indicated that they greatly benefitted from the intervention received. Most believed they had become so engrossed in the battle with their ex-spouse that they were unable to appreciate the consequences of their continued fighting. This was especially true of the arbitrated parents who indicated that they not only needed to be confronted with the potential consequences of their behaviour but also required a third party expert to direct them to a solution in the best interests of their children.

In conclusion, it should be noted that although some have heralded mediation as the panacea for all custody and access dispute negotiations the authors of this study would caution against any circumstances which allow the outcome of the intervention to supersede the best interests of the family. Although the goal of mental health professionals is to help these families reach a resolution and an 'acceptance' of their new family life situation it must be recognized that couples will achieve this growth at different rates. Thus there is a definite need for use of differential treatments when intervening with couples in dispute over custody and access arrangements.

#### Areas for Future Study

The following areas would be useful to look at for future study.

1. Future research in the area of custody and access issues would be useful to further determine ways in which parents can be assisted to minimize any adverse effects on their children as a result of the family restructuring.
2. Is there a relationship between parents receiving clinical intervention and subsequently being more equipped to cope as coparents and to focus on their children's needs?

3. Is there a role for grandparents and relatives to play in supporting their children throughout the separation process?
4. How can parents be helped to achieve successful coparental relationships?
5. Is there a relationship between the inability to negotiate an agreement on custody arrangements and retarded post separation adult adjustment of the parent?
6. In the long-term, are children of separated families more affected by the loss of a parent, or by growing up in an atmosphere where interparental hostility and conflict dominates?

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## Appendix A

### Interview Schedule

----- My spouse and I were interviewed by a counsellor who then wrote a report which was given to the lawyers or judge.

----- My spouse and I met with a counsellor for interviews and he advised us on our problems. With the help and advice of the counsellor we agreed on some of the solutions which were then put in the report to the judge or lawyers.

----- My spouse and I met with a counsellor and found that we could talk and solve our problems. The counsellor helped us decide what problems had to be solved (ie. visits, custody, support) but the counsellor did not tell us what our decision should be.



- \_\_\_\_\_ 1. Dealing with ex-spouse
- \_\_\_\_\_ 2. Loneliness
- \_\_\_\_\_ 3. Cooking
- \_\_\_\_\_ 4. Stigma
- \_\_\_\_\_ 5. Cleaning
- \_\_\_\_\_ 6. Discipline
- \_\_\_\_\_ 7. Having to both work and care for the children
- \_\_\_\_\_ 8. Money
- \_\_\_\_\_ 9. Feeling totally responsible for the children

## Child Behaviour Checklist

0= never or not concern; 1= sometimes true; 2= very true.

- \_\_\_\_\_ Allergies
- \_\_\_\_\_ Temper tantrums
- \_\_\_\_\_ Sadness
- \_\_\_\_\_ Lying
- \_\_\_\_\_ Stealing
- \_\_\_\_\_ Withdrawn
- \_\_\_\_\_ Asthma
- \_\_\_\_\_ Has trouble making friends
- \_\_\_\_\_ Eating Problems
- \_\_\_\_\_ Ulcers
- \_\_\_\_\_ Headaches
- \_\_\_\_\_ Sleeping Problems
- \_\_\_\_\_ Fearful
- \_\_\_\_\_ Aggressive Behaviours
- \_\_\_\_\_ Irritable
- \_\_\_\_\_ Angry
- \_\_\_\_\_ Bed wetting

## Interview Schedule

How long have you been separated?

Are you divorced? \_\_\_\_\_ How Long? \_\_\_\_\_

Are you employed? \_\_\_\_\_ At What? \_\_\_\_\_

Have you had to return to work since the divorce? \_\_\_\_\_

What intervention did you receive?

## Questions Regarding the Children

Did you ever talk to the children before the separation?

Did you ever talk to the children about the separation after you separated?

Do the children ever ask you about the separation?

How do you answer the questions?

What is the child's perception of the separation?

What was the atmosphere like in your home before the separation?

When you and your ex-spouse would argue what form did the arguments take?

Did the children see any violence between you and your ex-spouse? Were they aware of the fights?  
Who used to discipline the children?

Describe the relationship that the children now have with your ex-spouse?

## Questions Regarding Custody and Access

What was the final agreement reached?

How have you made any changes to the agreement?

How many times have you been back to court?

What have you done to make custody and access work?

What hinders it?

## Present Life Situation

Describe your relationship with your ex-spouse now.

Do you still fight with your ex-spouse.

How do you feel when you have contact with your ex-spouse?

When did life become more satisfactory for you? Why?

Have you been doing any dating? When?

Are you involved in a long term relationship?

Describe your support system now. How has that changed from preseparation?

Any suggestions you may have for the L.C. & A. project.

15. In general, how would you describe your relationship with your children?

- ☐ Not Very Good  
☐ Fair  
☐ Good

16. In general, how would you describe your employment or career situation?

- ☐ Not Very Good  
☐ Fair  
☐ Good

17. In general, how would you describe your relationship with others?

- ☐ Not Very Good  
☐ Fair  
☐ Good

18. What is your relationship to the children?

- ☐ Mother  
☐ Father  
☐ Other (specify) \_\_\_\_\_

19. What is your age? (Place number on line below)

20. Please indicate your present personal income:
- ☐ \$0 - \$4,999      ☐ 25,000 - 29,999  
☐ 5,000 - 9,999      ☐ 30,000 - 34,999  
☐ 10,000 - 14,999      ☐ 35,000 - 39,999  
☐ 15,000 - 19,999      ☐ 40,000 +  
☐ 20,000 - 24,999

21. Please feel free to comment on any of your answers.

Please complete the following questions by placing a 'X' in the appropriate box. You may write in additional comments at the end of the questionnaire if you wish to do so.

1. Please indicate the ages of your children. Include only those children who were living in the home at the time of the separation and who were under the age of 16 at the time.  
(Place on line below)

AGE BIRTH ORDER

\_\_\_\_ First Child

\_\_\_\_ Second Child

\_\_\_\_ Third Child

\_\_\_\_ Fourth Child

\_\_\_\_ Fifth Child

2. Who has custody of the children at present?

(specify for all children)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. How satisfied are you with the present custody arrangements?

- ☐ Very Satisfied  
☐ Satisfied  
☐ No Particular Feelings  
☐ Dissatisfied  
☐ Very Dissatisfied

4. How satisfied are you with the present access (visiting) arrangements at this time?

- ☐ Very Satisfied  
☐ Satisfied  
☐ No Particular Feelings  
☐ Dissatisfied  
☐ Very Dissatisfied

5. How is each child doing in school?

	very well	well	fair	poor	not in school
First Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Second Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Third Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fourth Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fifth Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Form 3C

6. How does each child get along with others?

	very well	well	fair	poor
First Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Second Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Third Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fourth Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fifth Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Are you and your ex-spouse able to talk about the children's discipline, school and social activities?  
(Please 'X' the appropriate box)

	Yes	No
Discipline	<input type="checkbox"/>	<input type="checkbox"/>
School	<input type="checkbox"/>	<input type="checkbox"/>
Social Activities	<input type="checkbox"/>	<input type="checkbox"/>

8. How often do you agree on these matters?  
(Please 'X' the appropriate box)

	very frequently	frequently	occasionally	never	do not have contact with ex-spouse
Discipline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Social Activities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9. How often do you and your ex-spouse agree on making arrangements for visits with the children?

☐ Very Frequently  
☐ Frequently  
☐ Occasionally  
☐ Never  
☐ Do Not Have Contact

10. Are there any special problems you believe your child is experiencing? Indicate any problems by placing an 'X' in the box.

	unhappy depressed	cannot concentrate or pay attention	can't sit still, hyperactive	feels worthless withdrawn
First Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Second Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Third Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fourth Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fifth Child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify)				

11. The following list of people may have helped you and your ex-spouse during the time you two were settling custody and access disagreements.  
(Please 'X' the appropriate box)

	very helpful	helpful	unhelpful	not applicable
Relatives				
Parents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Close Friends	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clergyman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lawyer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
London Custody and Access Project Counsellor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify)				

12. On the average, how often do you participate in the following:

	twice a week or often	once a week	twice a month	once a month	twice a year or less
Dating	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Organized Recreation or Sports	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visiting Friends	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Organized Social Clubs or Groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outings with your children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

13. In general, how would you describe your physical health?

☐ Not Very Good  
☐ Fair  
☐ Good

14. In general, how would you describe your financial situation?

☐ Not Very Good  
☐ Fair  
☐ Good

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## QUESTIONNAIRE FOR THERAPIST

Name: \_\_\_\_\_

File No.: \_\_\_\_\_

Please complete the questionnaire on the couple indicated above. Please use clinical judgment in the interpretation and answering of the questions. Please keep the following definitions in mind.

### Definitions:

Mediation: The intervention whereby the couple negotiates and mutually makes decisions regarding the children. The therapist neutrally assists the couple in such ways as helping to clarify the relevant issues, clarify communication and outline alternatives for resolution of their dispute.

Advisory Arbitration: The intervention whereby the therapist acts as a third party expert, giving advice and direction to the couple. After assessing the individuals and situation, the therapist makes recommendations regarding resolution of the dispute. Although the couple may continue to have conflicts around the issue, they are able to act on and agree to some or all of the recommendations.

Assessment: A description given of the facts of the situation and of clinical judgment, highlighting the strengths and weaknesses of the couple and including clinical recommendations providing for the best interests of the child, submitted in the form of a report to the court.

1. When did the couple come to the London Custody & Access Project?
  1. prior to lawyer involvement.
  2. after initial contact with lawyers.
  3. upon lawyer recommendation and preliminary court appearance.
  4. upon court and lawyer recommendations and several hearings.
  5. upon court recommendation and 1 or more years of court appearance.

2. Nature of clinician's involvement (circle one).

1	2	3	4	5	6	7
assessment			advisory/			mediation
no agreement			arbitration			couple directs
uncooperative						best course

3. Any other factors about this case that should be considered in present or future research?

### VITA AUCTORIS

Maureen Reid-Olszowy was born in Windsor, Ontario on September 19, 1956. She attended Vincent Massey Secondary School in Windsor from 1970 to 1975 and first graduated from the University of Windsor in 1977 with a Bachelor of Arts degree. She then entered the Social Work program and graduated two years later with a Bachelor of Social Work degree.

In July of 1979 she accepted a position with Family and Children's Services in London, Ontario where she remained until enrolling in the graduate Social Work Program. Her area of specialization was in family intervention, and her field practicum was with the London Custody and Access Project. She expects to graduate in October of 1983.

Ms. Reid-Olszowy resides with her husband in London, Ontario.



### VITA AUCTORIS

Rhonda Hallberg-Zajc was born on November 16, 1954 in Idaho, U.S.A. She immigrated with her family to Canada in 1966 and has resided in London, Ontario since 1970.

In 1974 she attended McMaster University in Hamilton, Ontario in the Social Work program. In 1977 she then attended King's College, University of Western Ontario, where she graduated with a Bachelor of Social Work Degree in 1979.

In that same year she secured a generalist social work position with Family and Children's Services of London and Middlesex. In 1982 Rhonda obtained an educational leave of absence from her employer and enrolled in the graduate program at the University of Windsor, majoring in interventions with families. Her field practicum for the academic year was with The London Custody and Access Project. She anticipates graduating in October of 1983.

Rhonda married in 1976 and has two children.